

## **CROSS-ACCEPTANCE**

### **Changes Proposed by Counties to the State Plan of Statewide or Regional Relevance**

This document is a summary of proposed policy recommendations and draft state agency responses for changes to the Preliminary State Development and Redevelopment Plan from County Cross-acceptance Reports. It is organized under the following topics:

- Structure of the State Plan
- Role of the State Plan / Plan Endorsement
- Relationship of the State Plan to Other Plans
- Goals and Strategies
- 19 Statewide Policies
- State Plan Policy Map
  - State Plan Policy Map structure
  - Parks and Natural Areas
  - Critical Environmental Sites
  - Historic and Cultural Resources
  - Planning Areas
  - Centers
  - Other Issues
- Indicators and Targets
- Population, Employment and Housing Projections
- Glossary

These are only the County proposed changes that have statewide or regional relevance, not changes implicating local issues.

This document is intended for informational purposes to assist staff in obtaining feedback on the proposed changes from state, county, and local governments and the public. Complete reports can be found on the Office of Smart Growth's official website at [www.njsmartgrowth.com](http://www.njsmartgrowth.com).

This document does not reflect the views of the State Planning Commission, as the State Planning Commission has not yet taken a position on the proposed changes.

Comments can be sent directly to Kathleen Pental in the Office of Smart Growth via e-mail at [kpental@dca.state.nj.us](mailto:kpental@dca.state.nj.us) or via regular mail to: Eileen Swan, Executive Director, Department of Community Affairs, Office of Smart Growth, 101 S. Broad Street, P.O. Box 204, Trenton, NJ 08625-0204.

## **I. STRUCTURE OF THE STATE PLAN**

**Issue # 1** – Plan should be more structured and better publicized

**State Plan Citation-** Key Concepts, p.4

**County Recommendation** – Much more publicity is needed about the Preliminary Plan. Municipal officials and the general public are not aware of what is contained in the Preliminary Plan. The Plan is too long and repetitious to encourage the public to read it. Summaries should be distributed and articles about the plan should appear in local newspapers. Without this outreach effort by the Office of Smart Growth, the jobs of the county negotiating entities are made extremely difficult.

**Recommendation made by** - Monmouth County

**Response: AGREE**

*We are working to streamline the plan, which should go a long way toward making the plan more user-friendly. Recognizing that the plan must be valuable to the end user, the new plan will be structured to follow the format of traditional land use plans and recognize how it will be put into use in real world situations.*

**Issue # 2** - While acknowledging the cross-cutting nature of many of the State Plan's policies, the proposed reorganization to align Statewide Policy sets to individual State Plan Goals dramatically makes it more difficult for these policies to be read and implemented in a cross-cutting fashion. The proposed structure becomes "user friendly" because it makes it very easy for a State Department (or other entity) to focus only on the goal it feels most closely aligned to. In this case, the State Plan will be regarded as an interloper, easily substituted for and made irrelevant by the Department's own functional plans, and the opportunities to reach "out the window" to gain efficiencies by leveraging programs across disciplines and departments is lost.

**State Plan Citation (Existing)** – N/A

**Preliminary State Plan Section-** Section Three, Changes to structure of Statewide Goals, Strategies, and Policies

**County Recommendation** - The proposed reorganization should be withdrawn and the existing structure of the State Plan Goals and Statewide Policies should be retained.

**Recommended By** – Burlington County

**Response: DISAGREE**

*We agree that there is a cross-cutting nature between the goals and policies of the State Plan. However, the current State Plan makes no direct linkages between the goals and policies. We are looking at alternatives such as a matrix table to illustrate the cross-cutting relationships.*

## **II. ROLE OF STATE PLAN / PLAN ENDORSEMENT**

**Issue # 1** - Plan Endorsement

**State Plan Citation (Existing)** - (Page 13)

**State Plan Citation (Preliminary)** - (pp. 7-9)

**County Recommendation** - The Plan Endorsement guidelines published by the Office of Smart Growth provide detailed instruction on how to proceed. However, greater clarification must be provided regarding a variety of submission materials such as Habitat Conservation Plans, Total Maximum Daily Load Implementation Plans, Source Water Protection Plans, and even Septic Management Plans.

**Recommendation by:** Hunterdon County

**Response: AGREE**

*These issues will be considered as part of any future revision to the Plan Endorsement Guidelines. Additionally, the Office of Smart Growth will work with municipalities to assist them in achieving plan endorsement, including posting guidelines for preparing appropriate documents for Plan Endorsement.*

**Issue # 2 - Plan Endorsement**

**State Plan Citation (Existing) - (Page 13)**

**State Plan Citation (Preliminary) - (pp. 7-9)**

**County Recommendation -** The Plan Endorsement Guidance document requires petitioners interested in seeking transportation-related benefits to indicate how their zoning ordinances provide land uses capable of supporting transit services. Aside from pedestrian and bicycle-friendly land uses and land use patterns, more rural communities simply do not have the densities to support meaningful transit opportunities. While compact, mixed-use environments may be the desirable way to grow, densities associated with bus and rail service are not realistic in many cases. The State Planning Commission must recognize this in reviewing Plan Endorsement petitions.

**Recommendation made by – Hunterdon County.**

**Response: AGREE**

*Current standards that set minimum densities to qualify for transit services are geared towards existing developed areas of the state. However, there needs to be a mechanism to bring transit benefits to existing populations in the state's rural areas. This would include serving rural centers, either existing or proposed, with transit service, even though the densities do not meet current criteria.*

**Issue # 3 - Plan Endorsement**

**State Plan Citation (Existing) - (Page 13)**

**State Plan Citation (Preliminary) - (pp. 7-9)**

**County Recommendation -** Plan Endorsement process as outlined in the guidance document, is potentially a very lengthy process. Office of Smart Growth staff anticipates an 18-month process for both Initial and Advanced Plan Endorsement. According to the guidance document, it could well be upwards of two years for both Initial and Advanced Plan Endorsement. Pre-application meetings with staff will certainly be helpful in expediting the process. But a deluge of applications will most likely create extensive delays. In the end, given the implications of revocation of substantive certification from COAH and potential delays in adopting TDR ordinances, the State Planning Commission must provide assurances to municipalities that their applications will be processed in a timely manner.

**Recommendation made by- Monmouth County**

**Response: AGREE**

*These issues will be considered as part of any future revision to the Plan Endorsement Guidelines. Currently, the rules outline specific timeframes for review of completeness and consistency of the Plan Endorsement petition. It is up to the petitioner to submit complete and consistent petitions in a timely manner. However, the goal is to provide assistance to municipalities and counties in their planning efforts and the Office of Smart Growth will be working to make the Plan Endorsement process as beneficial and efficient as it can be.*

**Issue # 4 - State Planning Act**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Planning Act requires the State Plan to be readopted at least every three years from the time of the initial adoption. The first State Plan was adopted in 1992. Since then, it was readopted once (2001) and is now undergoing the third round of Cross-Acceptance. The timetable established by statute for conducting Cross-Acceptance is an ambitious one which has not been achieved thus far. Cross-Acceptance is an extremely comprehensive process that has demanded far more time than the statute sets forth. It is also a far too labor and resource intensive process for counties and municipalities to undertake according to this schedule. The State Planning Act should be amended to provide for a six-year cycle for re-adoption of the State Plan. This is consistent with the timeframes for municipal master plan reexaminations and is a far more realistic and achievable goal.

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*We agree that the cycle should be longer and we will recommend this to the Legislature. The planning process should be tied to either the municipal master planning timelines or to the release of census data to give the plan a rational basis for updating.*

**Issue # 5 -** The State Plan should outline in detail how municipalities can best comply with the Goals and Policies related to environmentally sensitive land.

**State Plan Citation (Existing)** – State Plan, Goal 7, Strategy, p. 87.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The State Plan should provide an outline of steps municipalities should take to comply with the Goals and Policies related to protection of environmentally sensitive lands.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*The State Plan is too general in nature to address the diversity of planning issues around New Jersey. The specific steps that should be taken to protect the resources found in each municipality need to be addressed in a locally specific manner. The appropriate methods will vary dependant upon the resource that needs to be protected and the area of the state in which they are found. These specific methods will be addressed in the Plan Endorsement process where state agencies will work with municipalities to formulate a comprehensive strategy to incorporate environmental protections into the local planning process with appropriate zoning, ordinances, land preservation strategies and design criteria.*

**Issue # 6 -** The State Plan should outline how municipalities can best comply with the Goals and Policies related to affordable housing and coordination of COAH obligations.

**State Plan Citation (Existing)** – State Plan, Goal 6, Strategy, p. 79.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The State Plan should provide an outline of the steps municipalities can take to comply with the Goals and Policies related to affordable housing.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*The State Plan is too general in nature to address the diversity of planning issues around New Jersey. Each municipality will have varying affordable housing obligations that are specific to the characteristics of that community. Additionally, there are a wide range of options for a municipality to utilize in meeting their housing obligation. Crafting an adequate affordable housing plan that is appropriate for each community will be an essential part of the Plan Endorsement process.*

**Issue # 7 – Build-out Capacity Model**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan seems to propose that New Jersey can grow without limit. The Plan must tackle this issue head on. As the most densely populated, most congested state in the Union, New Jersey must begin to seriously consider the question of sustainability. The Plan must discuss a full build-out scenario for New Jersey, and the desired shape, character, and limits of it. The Vision Plan touches on certain desirable qualities we seek, but never discusses how or if these features can/will exist at full build-out. The State Plan should provide a model for sustainability that New Jersey can rely upon once it attains its vision of full build-out. The Plan should provide a “how to” section that sets forth the methods by which New Jersey can- a) build to its vision, without exceeding it, and then b) survive economically, socially, politically, without trampling on all that it has preserved.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*The State Plan does not assume unlimited growth potential in New Jersey. Recognition of the reasonable parameters within which our state can accommodate growth and development is the primary purpose of the State Plan. The State Plan’s overarching goal is to recognize that there are limits to growth. The use of analyses such as capacity and buildout studies for planning purposes are essential elements for charting a sustainable course for New Jersey’s future. Capacity based analysis should be an essential part of a community’s planning as well as the planning at the State level and will be required in the Plan Endorsement process.*

**Issue # 8 – Plan Endorsement for urban, fully built, municipalities in the Metropolitan Planning Area**

**State Plan Citation (Existing)** – 2. Comprehensive Planning, Plan Endorsement, Policy 27, 114-115.

**State Plan Citation (Preliminary)** – Implementing the State Plan, page 7.

**County Recommendation** – Creating a mechanism for urban, fully built municipalities in PA 1 to automatically receive Plan Endorsement would allow those municipalities already possessing the characteristics desirable in a center to receive the benefits of Plan Endorsement and use funds for planning initiatives that would have otherwise been put toward obtaining Plan Endorsement. For communities that are fully developed, there should be an automatic renewal of Centers designation since they do not have the money or available capital to undergo the Plan Endorsement process

**Recommendation made by** – Cape May County, Essex County, Warren County

**Response: DISAGREE**

*By virtue of being located in Planning Area 1, it does not necessarily mean a municipality’s plans are consistent with the State Plan. Therefore, Plan Endorsement should not be automatic.*

**Issue # 9 - Clarification about the Plan Endorsement Process**

**State Plan Citation (Existing)** – Plan Endorsement, pp. 13-14

**State Plan Citation (Preliminary)** – Implementing the State Plan, page 7.

**County Recommendation** – Plan Endorsement should be simplified, and a detailed discussion of the specific programmatic and financial benefits should be clearly identified in the State Plan. Municipalities that participated in a Smart Growth Grant regional study receive expedited review for Plan Endorsement. State agencies must clearly specify and commit to the benefits that municipalities and counties can expect to receive upon Initial and Advanced Plan endorsement. The State benefits under consideration that are listed in the 2004 PE guidelines should be finalized as quickly as possible

**Recommendation made by** - Cape May County, Gloucester County, Monmouth County, Hunterdon County

**Response: AGREE**

*We intend to propose a comprehensive update to the Plan Endorsement process and the attendant guidelines. The new proposed Plan Endorsement process will be a comprehensive and constructive engagement between municipalities and interested state agencies that will yield better planning results and access to real benefits as a consequence of endorsement.*

**Issue # 10** - Incorporate more local plans into the State Plan.

**State Plan Citation (Existing)** - I. Key Concepts, Planning Process, 4; Relationship of Plan to other Plans, Municipalities, p. 10

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The State should respect the time and money spent by municipalities and incorporate their plans into the State Plan rather than try to force-fit local real world conditions into a hypothetical center model. The SDRP should recognize that not all goals, policies and key concepts are applicable or addressable by every municipality. The SDRP must recognize that the municipality must have the primary voice in setting its own direction.

**Recommendation made by** - Warren County

**Response: AGREE**

*The Office of Smart Growth reaches out to municipalities through charettes, conferences and other opportunities for communication. We acknowledge that the State Plan cannot address every single example of good planning which is why the State Plan provides general planning guidelines that are to be flexibly applied according to the regional context.*

**Issue # 11** - State regulation of municipal planning.

**State Plan Citation (Existing)** - Relationship of the Plan to Other Plans, p. 276

**State Plan Citation (Preliminary)** - Participation at all Levels of Government, p. 9

**County Recommendation** – The document is not a “bottoms up” document but rather a “top down” document and should say so in the Overview section of the Role of State Plan. There should be a balance of municipal, county, and state roles in land use planning and implementation.

**Recommendation made by** - Warren County

**Response: AGREE**

*The State Plan has always been a highly collaborative process between the state, its agencies, counties, municipalities, and the general public. The State Plan is a policy guide for the State as a whole that is created after compiling the best available information from relevant available sources*

*and vetting that information through the appropriate stakeholders, including all levels of government.*

**Issue # 12** –Municipalities that spent considerable time and expense for Center Designation are required to start fresh when applying for Plan Endorsement. Center Designation is neither recognized nor rewarded.

**State Plan Citation (Existing)** – Plan Endorsement, p. 13.

**State Plan Citation (Preliminary)** – Implementing the State Plan, p. 7.

**County Recommendation** –The Plan Endorsement process should be streamlined and made easier for municipalities that have already achieved Center Designations.

**Recommendation made by** – Cape May County

**Response: AGREE**

*Centers are recognized and given benefits or priority with regards to grants, technical assistance, and regulatory matters. When applying for Plan Endorsement, if a municipality has already established planning consistent with the State Plan through Center Designation, then Plan Endorsement should be a less burdensome process.*

**Issue # 13** – Existing Centers and Qualifying for programs.

**State Plan Citation (Existing)** – Centers p. 230

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The State Plan states that benefit of center designation is to be able to take advantage of certain state funding and permit programs. It is then internally inconsistent for the State Plan to support existing centers, while at the same time excluding them from the benefits of center designation just because a municipality had not gone through an additional process of center designation. Existing centers should be automatically designated, as the eight urban centers were when the plan was adopted in 1992.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*The benefits of Center Designation are intended to apply to municipalities that have appropriately located centers, appropriately designed centers, appropriately planned centers and that have taken the steps necessary to be consistent with the overall State Plan. Centers are recognized and given benefits or priority with regard to grants, technical assistance, and regulatory matters. When applying for Plan Endorsement, if a municipality has already established planning consistent with the State Plan through Center Designation, then Plan Endorsement should be a smoother process. Finally, the need to monitor continued compliance with the State Plan is necessary in order to provide for continued provision of the benefits of Center Designation and Plan Endorsement weigh against any automatic designation.*

**Issue # 14** –Municipalities have spent considerable time and expense to achieve designation as a Regional Center.

**State Plan Citation (Existing)** – Plan Endorsement, p. 13

**State Plan Citation (Preliminary)** – Implementing the State Plan, p. 7, Benefits of Plan Endorsement, p. 9

**County Recommendation** – There should be an automatic renewal of Centers designation

**Recommendation made by** – Cape May County

**Response: DISAGREE**

*Centers are recognized and given benefits or priority with regards to grants, technical assistance, and regulatory matters. Assuring that designated centers continue to plan and grow in a consistent and appropriate manner is an essential function of each periodic update of the State Plan. When applying for Plan Endorsement, if a municipality has already established planning consistent with the State Plan through Center Designation, then Plan Endorsement should be a less burdensome process.*

**Issue # 15 – Indemnification** - State Agencies' coordination with the State Plan through Plan Endorsement makes local adherence to the Plan a necessity. The entity responsible for decision-making, which determines zoning regulations, is now more the State than the municipality.

**State Plan Citation (Existing)** – Function of Planning Areas, Page 8 and Relationship of the State Plan to Other Plans - Municipalities, Page 280

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Municipal and County governments and agencies should be indemnified against the costs and liability associated with endorsed plans. Given the impact of the Plan Endorsement Process, some measure of protection should be offered to municipalities by the Office of Smart Growth, similar to COAH's protection.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*Municipalities that have engaged in a comprehensive planning effort that has been endorsed as consistent with the State Plan should be afforded a legally recognized enhanced presumption of validity for their actions. This would provide a higher degree of protection from suits against municipalities for their planning actions than currently exists. However, indemnification from the costs and liabilities for all suits associated with an endorsed plan is not appropriate. Municipalities still maintain local control over their planning and must still take actions that are consistent with applicable law.*

**Issue # 16** - Counties, specifically with regard to its facilities, are punished when municipalities do not participate in Plan Endorsement.

**State Plan Citation (Existing)** - Plan Endorsement, Page 13

**State Plan Citation (Preliminary)** - Implementing the State Plan, pp. 7-9.

**County Recommendation** - An additional category, the Public Complex Plan, should be developed in the State Plan and designated as eligible for Plan Endorsement. The definition for Public Complex is found in the NJDEP Stormwater Management Plan

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*We do not believe this additional category is necessary. These issues should be considered as part of a municipalities, counties or regions Plan Endorsement petition.*

**Issue # 17** - The State Plan needs to provide objective standards for plan consistency

**State Plan Citation (Existing)** – Plan Endorsement, p. 13-14

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Changes should be made to the State Plan to clarify and refine what objective standards are to be used to evaluate local plan consistency with State Plan Statewide Goals, Strategies and Policies. Without revision, the current format leads to endless subjectivity and opinion regarding coordination of State, County and local plans.



**Recommendation made by** - Morris County, Warren County

**Response: DISAGREE**

*New Jersey is an extremely diverse state. Consistency with the State Plan is broadly defined in the State Planning rules to address the many different types of communities found throughout the state and the many different planning imperatives that must be considered. Consistency is interpreted to mean consistent with the goals, policies and strategies of the State Plan as well as the policies that apply to each planning area. The definition is adequate to provide guidance to both municipalities and to the SPC to assess consistency.*

**Issue # 18** - Private Market-Sector and Citizen Implementation

**State Plan Citation (Existing)** – Role of the State Plan, Citizens of New Jersey, p. 277.

**State Plan Citation (Preliminary)** – Role of the State Plan, Section 1, p. 6.

**County Recommendation** - The NJ State Development and Redevelopment Plan contain public sector policies and strategies to accomplish its eight statewide goals and to realize its vision for the future. It also provides a wealth of guidance to local government and state agencies on how to implement the plan. However, very little guidance is provided to the private sector or citizen consumers on how they can make better sustainable or smart growth choices and decisions. This section should include new language to encourage education, participation, and implementation of the private sector and citizen consumers.

**Recommendation Made by** - Camden County

**Response: AGREE**

*The State Plan should be written in a manner that is more understandable and useful for all those interested in planning our state.*

**Issue # 19** - Compliance with the State Plan, both cross acceptance and Plan Endorsement, creates an undue financial obligation on municipalities, especially those that conscientiously participate in the State Planning process.

**State Plan Citation (Existing)** -Statewide Policy 1. Equity, p. 110; Statewide Policy 4. Infrastructure Investments, p. 119

**State Plan Citation (Preliminary)** -Statewide Policy 1. Equity, p. 24

**County Recommendation** - Consistent with the State's policy that the State should pay for mandated requirements, the State should provide a source of adequate funding for municipalities to participate in the State Planning process. In addition, since the State is viewing Plan Endorsement as the main vehicle to address changes to the State Plan Map, funding should be available for municipalities to update their Master Plan and all of the sub-elements required for Plan Endorsement. Preparing all of these sub-elements can cost municipalities thousands of dollars, which municipalities do not necessarily have at their disposal and usually must budget for in advance.

**Recommendation made by** - Cape May County, Hunterdon County, Warren County

**Response: DISAGREE**

*Every municipality has a statutory obligation to plan appropriately and to take the necessary steps to implement that planning. This includes preparation of up-to-date master plans and relevant sub-elements. These are not "new" obligations. The Office of Smart Growth has provided, and will continue to provide, grants to municipalities designed to assist with planning efforts and completion of these elements.*

### **III. RELATIONSHIP TO OTHER PLANS**

**Issue # 1** – Several municipalities expressed concern that COAH is requesting that the municipality submit for Plan Endorsement in order to have their Housing Element and Fair Share Plan approved and Certified by COAH.

**State Plan Citation (Existing Plan)** – Relationship of the State Plan to Other Plans. P. 129. Policy #7 Housing p. 139

**State Plan Citation (Preliminary Plan)** – Relationship of the State Plan to the Council on Affordable Housing. p. 10-12

**County Recommendation** –The additional expense of Plan Endorsement is viewed as an additional hurdle in the process of providing affordable housing.

**Recommendation made by** - Gloucester County

**Response: DISAGREE**

*The processes of COAH certification and Plan Endorsement should work in tandem since they both pertain to local planning. Adequately addressing a community's affordable housing obligation is essential to good planning. Preparation of an appropriate housing plan will be addressed on a community- specific basis in the Plan Endorsement process.*

**Issue # 2** – Relationship between Plan Endorsement and COAH certification

**State Plan Citation (Existing)** – COAH, p.279

**State Plan Citation (Preliminary)** – Relationship of the State Plan to COAH, p.10

**County Recommendation** – The implementation of the Fair Housing Act through COAH continues to be a concern. The builder's remedy continues to be an option against municipalities that do not have a Housing Plan certified by COAH. The newly adopted rule also requires that any municipality seeking COAH certification obtain initial plan endorsement from the State Planning Commission. These requirements forces municipalities to comply with the State Plan, thereby losing a degree of local control in order to obtain the builder's remedy protection afforded through COAH certification.

**Recommendation made by:** Warren County

**Response: DISAGREE**

*The processes of COAH certification and Plan Endorsement should work in tandem since they both pertain to local planning. Adequately addressing a community's affordable housing obligation is essential to good planning. Preparation of an appropriate housing plan will be addressed on a community- specific basis in the Plan Endorsement process.*

**Issue # 3** - Coordination of SPPM and Highlands Plan

**State Plan (Existing)** – N/A

**State Plan (Preliminary)** – N/A

**County Recommendation** - Use Cross-acceptance as a first step toward coordinating the SPPM, Highlands Plan and municipal plans, and to make them mutually supportive. Municipalities should have the ability to have specific lands added to the Highlands Preservation Area if said lands meet the same composite resource value criteria used in defining the rest of the Highlands Preservation Area as described in the Highlands Task Force Report. The State Plan, local zoning and current regulatory framework will be in effect for an estimated 2 to 3 years before the Highlands Plan is completed and adopted. As such, the County Planning Board supports amendments to the PSPPM and local plans and programs that bring the local and state plans into consistency with the

legislation during Cross-acceptance. The updated State Plan should be viewed as an interim Plan for the Highlands Region until such time as the Highlands Plan is developed and adopted. As such it is important that the State Plan support the goals and objectives of the Highlands Act with regard to Highlands Municipalities.

**Recommendation made by:** Somerset County

**Response:** DISAGREE

*While the State Plan will not be enacted as an interim measure, the State Plan and the Highlands Regional Master Plan will be coordinated and complimentary. The SPC has no authority over the Highlands Preservation Area and a Highlands Preservation Area overlay will be created for the State Plan Highlands Policy Map when the Highlands Regional Master Plan is completed. For the Planning Area, The legislation that enabled the creation of the Highlands Preservation and Planning Areas already provides for a mechanism that will allow municipalities to “opt in” to the Highlands Plan and once the Highlands Master Plan is adopted, it will be submitted to the SPC for Plan Endorsement and incorporated into the State Plan. Accordingly, the State Plan will reflect the goal of protection of the resources of the Highlands Region as well as identify areas appropriate for growth.*

#### **IV. GOALS AND STRATEGIES**

**Issue # 1** - If the State Planning Commission were to consider a broader reorganization of the Goal structure, it should consider combining Goal 2 (Conserve the State’s Natural Resources) and Goal 4 (Protect the Environment, Prevent and Clean up Pollution).

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section Three- Changes to the Structure of the “Statewide Goals, Strategies and Policies” Section p22

**County Recommendation** - By moving Policies on Brownfields to Goal 1 (Revitalize the State’s Cities and Towns), the remaining indicators proposed under Goal 2 and Goal 4 could be merged under one goal titled Conserving and Protecting the State’s Natural Resources and Environment.

**Recommendation made by** - Atlantic County

**Response:** DISAGREE

*There is a cross-cutting nature between the goals and policies of the State Plan. However, we believe there is value to maintaining a distinction between policies regarding land preservation and those regarding contamination and pollution because they involve different approaches and resources.*

**Issue # 2** - State Plan does not include transportation as a separate goal, which it should be as a fundamental attribute of human activity.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Listing of State Planning Goals, State Plan, Page 7

**County Recommendation** - Recommended State Goal 9 - Promote Cost-Effective, Environmentally Sensitive Mobility for People and Goods Statewide. Transportation is a fundamental attribute of human activity. It deserves to be treated as a separate goal in the State Plan.

**Recommendation made by** - Middlesex County, Union County

**Response:** AGREE

*The new State Plan will include a separate Transportation Element that details the role of transportation infrastructure in overall planning. Factors such as road capacity, transit systems, and passenger and freight rail service will be weighed planning and land use decisions.*

**Issue # 3** – Open Space measures have had a negative impact on certain municipalities by reducing the tax base.

**State Plan Citation (Existing)** – Goal 2, Conserve the State’s Natural Resources, p. 36; Policy on Equity, p. 110

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** –Financial compensation should be provided for the permanently preserved open space and lot area requirements, which have positively impacted the State Plan Goal to Conserve the State’s Natural Resources. The State Plan could either:

1. Modify Goal 2 to provide for financial compensation.
2. State Plan should include a payment in lieu of taxes program for open space and conservation of lands with funds payable directly to host municipalities.

**Recommendation made by** – Cape May County

**Response: DISAGREE**

*The preservation of Open Space, through either outright acquisition or through the various Farmland Preservation programs is an element of good overall planning and is a tool that should be used where appropriate. Properties preserved through Farmland Preservation remain on the tax rolls and in fact generate a net tax gain to the municipality by virtue of using very little in services compared to the amount of taxes paid. Municipalities where open space preservation is a major element of planning also need to plan appropriately for development as well. The ratable base and attendant tax implications are directly correlated to the factors considered in the overall planning of a community, not just the open space element. There are a host of studies that demonstrate that “chasing ratables” is not a productive municipal tax strategy.*

## **V. INDICATORS AND TARGETS**

**Issue # 1** – Structure of State Plan Indicators

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Indicator and Target Organization, p. 14

**County Recommendation** – Revise structure. The Commission appears to be creating "silos" of indicators by narrowing them to specific goals and at the same time questioning what the indicator for that goal has to do with land use and the State Plan overall. For example, Additional Indicator #8 - Generation of Solid Waste, siloed into Goal 2 on page 16, is forced into, and then expunged from this goal.

**Recommendation made by** - Burlington County

**Response: DISAGREE**

*We agree that there is a cross-cutting nature between the goals and policies of the State Plan. However the current State Plan makes no direct linkages between the goals and policies. The same applies to Indicators and Targets. We are looking at alternatives such as a matrix table to illustrate the cross-cutting relationships.*

**Issue # 2** – Deletion of Additional Indicator 1 – Average annual disposable income among New Jerseyans

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 1, p. 270

**State Plan Citation (Preliminary)** – Section 2, Goal 3, Additional Indicator 1 – Average Annual Disposable Income Among New Jerseyans, p. 17.

**County Recommendation** - Keep indicator.

Burlington: This is not an indicator of salaries but rather of the extent to which costs of living erode wages, salaries and other income. Because the State Plan is evaluated for its impacts on the economy, and because the State Plan should lead to sustaining a high value economy and reduce costs of infrastructure and other services, this is a highly appropriate indicator that is an early warning signal of success or failure, and that normalizes for national trends by setting a target with a wide range over the national average.

Atlantic: Determining areas in which larger amounts of disposable income among residents exist would be helpful in commercial planning. The location of certain retail sites would ideally be closer to residential areas with higher amounts of disposable income than to areas with low amounts of disposable income.

**Recommendation made by** - Atlantic County, Burlington County (counties have different rationales, but same recommendation)

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, annual average disposable income is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue # 3** – Deletion of Additional Indicator 2 – Unemployment

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 3, Additional Indicator 2 – Unemployment, p. 18.

**County Recommendation** – Keep Indicator. The State Plan is evaluated based on its economic impacts including loss of employment. Also, analysis of unemployment would be important to understanding why the economies in some regions begin to fail and to determine where some types of aid are needed.

**Recommendation made by** - Atlantic County, Burlington County, Camden County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, unemployment is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue # 4** – Amendment to Additional Indicator 15 – Vehicle Miles Traveled Per Capita

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 15, page 273.

**State Plan Citation (Preliminary)** – Section 2, Goal 5, Additional Indicator 15, p. 19.

**County Recommendation** – The Target for Indicator 15 calls for vehicle miles traveled (VMT) per capita to remain constant through 2020. Given the increasing population, Target 15 must call for a *reduction* in VMT/capita merely to retain roadway congestion at its current unacceptable level. The Plan should identify the VMT per capita reduction needed to *reduce* congestion statewide – and the figure must incorporate increasing population projections.

**Recommendation made by** - Essex County, Sussex County

**Response: DISAGREE**

*While this is an admirable goal, it would require an unrealistic and unlikely reduction in overall VMT to counter the growth in population and employment.*

**Issue # 5** - An Additional Indicator and Target should be used to determine if new development is being served by mass transit systems.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 8 Ensure Integrated Planning Statewide page 21.

**County Recommendation** – Add the following new Indicator- New development, population, and employment located proximate and with convenient access to safe, reliable, readily available mass transit systems. Add the following associated Target- 100% of new growth is served by readily available, safe, reliable, mass transit systems in PA-1 and PA-2 and in Centers.

**Recommendation made by** - Essex County, Hunterdon County

**Response: DISAGREE**

*It is not feasible to provide mass transit for 100% of PA1, PA2 and centers. However, we are considering an indicator that would measure transit availability.*

**Issue # 6** - An Additional Indicator and Target should be used to measure state support of mass transit systems.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 5 Provide Public Services at a Reasonable Cost, page 19.

**County Recommendation** – Add the following new Indicator- Percentage of state transportation budget devoted to development and maintenance of mass transportation systems and supporting infrastructure. Add the following associated Target- Mass transportation receives the funding needed to make widespread availability to NJ residents a reality.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*Although we disagree that percentage of budget is the proper indicator, we are considering an indicator that would measure transit availability.*

**Issue # 7** - An additional Indicator and Target should be used to measure time and productivity losses due to traffic congestion.

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicators, Infrastructure, p. 273

**State Plan Citation (Preliminary)** – Section 2, Goal 5, p. 19.

**County Recommendation** – Add the following new Indicator- Time and productivity losses due to traffic congestion. Target- Reduce such losses to a fraction of current levels.

**Recommendation made by** - Essex County

**Response: AGREE**

*We are considering an indicator to measure the impact of traffic congestion on lost time and productivity.*

**Issue # 8** – Deletion of Additional Indicator 10 Green House Gas Emissions

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 10, p. 272

**State Plan Citation (Preliminary)** – Section 2, Goal 2, Additional Indicator 10, p. 17.

**County Recommendation** – The Preliminary Plan states that this indicator has little connection to the State Plan or land use. However, green house gas emissions are directly related to Statewide Policy 10, Air Resources and its sub-policies, Statewide Policy 8, Transportation and its sub-policies, and green design in development and redevelopment as called for in Goal #4 and in Statewide Policies #13.

**Recommendation by:** Essex County, Burlington County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. The State Plan is not responsible for regulating emissions. However, we are attempting to implement policies that reduce the amount of time people spending in traffic and reduce the amount of vehicle miles traveled.*

**Issue #9** – No issue.

**Issue #10** – Deletion of Additional Indicator 26 “Percent of land in New Jersey covered by adopted watershed management plans”

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 26, p. 275.

**State Plan Citation (Preliminary)** – Section 2, Goal 2, p.17

**County Recommendation** – This Additional Indicator should be retained. Watershed planning, and therefore this indicator, is directly related to Statewide Policy 11, Water Resources. It is a crucial element of natural resource planning that crosses municipal lines and offers much-needed opportunity for the kind of regional planning that the SDRP advocates. Towns and cities contributing to downstream water bodies need to understand the impacts and take part in the planning processes that will protect the State’s water resources.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. While discussion of watershed management planning is worthy of inclusion in the State Plan, this indicator is a process-based indicator that is not a useful way of guiding land use decision making.*

**Issue # 11** - Key Indicator 3 should be amended to strive for a higher water quality.

**State Plan Citation (Existing)** – Indicators and Targets, Key Indicator 3, p. 266.

**State Plan Citation (Preliminary)** – Section 2, Goal 4 Protect the Environment.

**County Recommendation** – Revise Key Indicator 3 to read “Percent of New Jersey’s waterways that not only support aquatic life, but support *plentiful* aquatic life that is *fit for human consumption*.” Provide an additional Target stating, “Residents can eat the fish from NJ rivers, streams, estuaries, and coastal waterways; shellfish recover and can be harvested from NJ bays and estuaries.”

**Recommendation made by** - Essex County, Hunterdon County

**Response: DISAGREE**

*The health of the state’s waterways and the aquatic life those waterways support are important to track. However, we are currently considering dropping this indicator as the data available throughout the state is of questionable use as a broad-based measure of actual conditions. Expanding the definition of this indicator as suggested will not overcome the limitations of the data nor will make it more applicable as a useful indicator.*

**Issue # 12** - An additional indicator and target should be used to measure the ratio of consumption and use of the State water supply.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 2, p. 16.

**County Recommendation** – Add the following new Indicator- Consumption of state water supply for human needs. Add the following related Target- The rate of natural replenishment of ground water aquifers and surface water supplies exceeds the rate of consumption for all human purposes (i.e., industrial, agricultural, and drinking water) (include a safety factor built in to account for conditions of long-term drought).

**Recommendation made by** - Essex County, Hunterdon County

**Response: DISAGREE**

*While an important issue, the suggested indicator may not be the best way to measure progress towards balancing water supply and demand.*

**Issue # 13** - An Additional Indicator and Target should be used to measure the protection of New Jersey steep slope and ridgeline areas.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 2, p. 16.

**County Recommendation** – Add the following Additional Indicator- Percentage of New Jersey steep slope and ridgeline areas designated PA5 and protected by local ordinances that limit development and preclude development on ridgelines. Add the following related Target- 100% of New Jersey critical slope and ridgeline areas designated PA5 Environmentally Sensitive Planning Areas are protected by slope/ridgeline ordinances.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*Most steep slope and ridgeline areas are too small and specific to be located within an isolated PA5, though many areas could be mapped locally as CES areas. However, we do recognize special planning areas such as the Highlands where there is regional significance. Ultimately, protection of local environmentally sensitive areas, such as areas of steep slopes, is an obligation of a local municipality. Raising awareness of the importance of appropriately protecting steep slopes by local actions is a legitimate goal.*

**Issue # 14** – Deletion of Additional Indicator 7 “Economic Output per unit of energy consumed”

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator, p. 271.

**State Plan Citation (Preliminary)** – Section 2, Goal 3, p. 17.

**County Recommendation** – This Additional Indicator should be retained. The Preliminary Plan states the indicator will be eliminated; however, the indicator relates to far more than transportation and directly responds to Statewide Policy 13, Energy Resources and its sub-policies.

**Recommendation made by** – Burlington County, Essex County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, economic output per unit of energy consumed is not closely enough aligned with land use decision-making for OSG to track this indicator.*



**Issue # 15** – Deletion of Additional Indicator 8 Generation of solid waste on a per capita and per job base

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 8, p. 271.

**State Plan Citation (Preliminary)** – Section 2, Goal 2, p. 16.

**County Recommendation** – Keep indicator. Solid waste generation is a direct indicator of the efficiency of resource use. Greater waste requires greater need for waste management, which requires siting of transfer stations and landfill facilities, puts more trucks on state and local roadways, uses more energy, and increases costs to residents, businesses, industries, and governmental entities, statewide. This indicator is directly related to Statewide Policy 13, Energy Resources and its sub-policies and Statewide Policy 14, Waste Management, Recycling and Brownfields and its sub-policies, specifically, numbers 3, 4, 5, & 7.

**Recommendation made by** - Essex County, Burlington County, Atlantic County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, solid waste generation is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue #16** - Modification of Additional Indicator 8 – Generation of Solid Waste on a per capita and per job base

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator, p. 271.

**State Plan Citation (Preliminary)** – Section 2, Goal 2, p. 16.

**County Recommendation** – Complete elimination of this indicator in the Preliminary Plan is not substantiated. Waste reduction and recycling are valid indicators of the State Plan's ecological protection progress and conversion of New Jersey's disposable economy into a re-use economy. The proposed deletion of Additional Indicator is supported if replaced with an indicator and target of residential and non-residential waste recycling.

**Recommendation made by** – Camden County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, solid waste generation is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue # 17** - The Target for Indicator 8, which calls for a per capita reduction in generation of solid waste, should be specific.

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 8, p. 271.

**State Plan Citation (Preliminary)** – Section 2, Goal 2 Conserve the State's Natural Resources and Systems, p. 16.

**County Recommendation** – While any reduction is admirable, the target should determine the reduction needed to reduce overall solid waste generation for New Jersey, with anticipated increases in population incorporated.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, solid waste generation is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue # 18** – Deletion of Additional Indicator 13 Changes in Toxic Chemical Use and Waste Generation in New Jersey’s Manufacturing Sector.

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 13, p. 272.

**State Plan Citation (Preliminary)** – Section 2, Goal 4 Protect the Environment, p. 19.

**County Recommendation** – Keep Additional Indicator 13. The Preliminary Plan states that this indicator has no link to land use or the State Plan. However, this indicator has everything to do with state planning and land use. As in the case of solid waste, generation of toxic and/or hazardous waste is a direct indicator of efficiency in resource use. Less waste means greater efficiency, which translates to lower business costs and greater profit for NJ industries. Less toxic waste means far less difficulty – and lower cost – in transportation, storage, and disposal of the waste stream. This includes the extremely sensitive land use issue of siting facilities that use, process, store, treat, transport, and/or dispose of toxic and/or hazardous materials. The State Plan must encourage use of non-toxic, non-hazardous substitutes, recycling of waste stream materials via industrial ecology, pollution prevention, and reductions in transport, storage, and disposal of hazardous and toxic substances. Also, as new research is done to determine potential impacts of toxic chemicals it is important to maintain information on manufacturers that produce these chemicals.

**Recommendation made by** - Essex County, Atlantic County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. However, toxic and chemical use is not closely enough aligned with land use decision-making for OSG to track this indicator.*

**Issue # 19** - Expand Indicator for Goal 1, Revitalize the State's, Cities, and Towns.

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 6, p. 271; Additional Indicator 23, p. 275.

**State Plan Citation (Preliminary)** – Section 2, Goal 1, p. 15-16

**County Recommendation** – Indicator measuring percentage of new jobs located in urban aid municipalities and percent of building permits issued in urban aid municipalities should be expanded to include percentage of new jobs and permits issued in existing and designated centers.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*We agree that the indicator should go beyond urban aid municipalities, however, the suggested change would be difficult to measure and of limited utility. Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants.*

**Issue # 20** - Development-restricted land in PAs 1, 2 and Designated Centers

**State Plan Citation (Existing)** – Indicators and Targets, Key Indicator 1, p. 264

**State Plan Citation (Preliminary)** – Section 2, Headline Indicator 1, p. 15.

**County Recommendation** – add new Headline Indicator that measures the relationship of development-restricted land (e.g. publicly owned) relative to Headline Indicator #1 (% of new development, population and employment growth located in PA 1, PA 2 and Centers)

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*This indicator is too complicated and it is not clear what it would measure. Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants.*

**Issue # 21** – Deletion of Additional Indicator 19 – Percent of Development of Individual Septic Systems

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 19, p. 274

**State Plan Citation (Preliminary)** – Goal 2, Additional Indicator 19, p. 17.

**County Recommendation** – Keep Indicator. The use of individual septic systems is clearly related to the goal of conserving the State’s natural resources and systems. Individual septic systems put less pressure on public utilities and municipal and county systems, and may be cheaper and more efficient than public systems. The State Plan should continue to monitor this to help determine if individual septic systems have a substantial positive or negative impact.

**Recommendation made by** - Atlantic County, Warren County

**Response: DISAGREE**

*The State Plan generally supports development and redevelopment in PA1, PA2 and centers. Where development occurs in other planning areas, the decision regarding how to address wastewater disposal and its relationship to land use is far too complex to describe in a single useful indicator.*

**Issue # 22** – Deletion of Additional Indicator 19 – Percent of Development of Individual Septic Systems

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 19, p. 274

**State Plan Citation (Preliminary)** – Goal 2, Additional Indicator 19, p. 17.

**County Recommendation** – Keep the indicator. Perhaps one of the most egregious deletions proposed, this is an indicator of sprawl and environmental degradation, as higher density development should be based on regional sewer or community septic systems, and the spread of properly functioning septic systems increases the likelihood of ground water pollution.

**Recommendation made by** – Burlington County

**Response: DISAGREE**

*The State Plan generally supports development and redevelopment in PA1, PA2 and centers. Where development occurs in other planning areas, the decision regarding how to address wastewater disposal and its relationship to land use is far too complex to describe in a single useful indicator.*

**Issue # 23** - Amount of farmland preservation

**State Plan Citation (Existing)** – Indicators and Targets, Key Indicator 2, p. 265.

**State Plan Citation (Preliminary)** – Section 2, Headline Indicators - 3, p. 15.

**County Recommendation** – Amend Headline Indicator to measure health of agricultural industry rather than simply the increase in acres devoted to agriculture.

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*We already have an indicator which measures the health of the agricultural industry – Additional Indicator 5 “Annual Agricultural Output in Constant Dollars” on p.271 of the State Plan.*

**Issue # 24** – Amendment to Indicator – Percentage of New Development in PA 1, PA 2 or Designated Centers

**State Plan Citation (Existing)** – Indicators and Targets, Key Indicator 1, p. 264

**State Plan Citation (Preliminary)** – Section 2, Goal 8-Ensure Integrated Statewide Planning, p.21

**County Recommendation** - The proposed Headline Indicator for the percentage of new development, population and employment located in Planning Areas 1 and 2 or in Centers in Planning Areas 3 through 5 should be divided into two separate Key Indicators. They should

distinguish between desired growth in PA 1 and 2 and desired growth within Centers in PA 3 through 5, with different thresholds established.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*PA1, PA2, centers, and growth areas (which are part of endorsed plans) are at the core of the development objectives of the State Plan. A split between PA1/PA2 and centers would complicate unnecessarily the measurement of this indicator.*

**Issue # 25** – New Indicator and Target – Financial Assistance for Communities with Plan Endorsement

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - New Indicator - The degree to which the State provides financial and technical assistance to communities/counties with Endorsed Plans. Target -Dollar commitment (in actual dollars and staff time) to Endorsed Plan municipalities and counties.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Dollars alone do not necessarily indicate success. We believe that a more accurate measure of State level support is the benefits both technical and financial afforded to municipalities and counties with Plan Endorsement. We are identifying these are part of a comprehensive renewal of Plan Endorsement currently underway.*

**Issue # 26** – New Indicator – Percent of land covered by Regional Stormwater Management Plans

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - New indicator - Percent of land in NJ covered by regional stormwater management plans. Although all municipalities must prepare and adopt municipal stormwater management plans, regional stormwater management plans (watershed-based plans) are optional. Since the State Planning Commission strongly endorses regional planning, this is a valid indicator.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. While discussion of stormwater management planning is worthy of inclusion in the State Plan, this indicator is a process-based indicator that is not a useful way of guiding land use decision making. A regional approach to stormwater management is preferred. However, a properly crafted local plan can be just as effective as a good regional plan. Tracking the scope of the approach rather than the effectiveness would not yield useful data.*

**Issue # 27** - The proposed “percentage of brownfields redeveloped” Indicator for Goal #1 and Goal #3

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 4, p. 270.

**State Plan Citation (Preliminary)** – Section 2, Goal 1, p15; Section 2, Goal 3, p.17

**County Recommendation** - This proposed indicator assumes that the Brownfields Taskforce has completed and verified an inventory of brownfield sites. The Taskforce has not done so yet and is unlikely to be able to in the near future, due to the very nature and definition of the term “brownfield.” The indicator is conceptually a valid indicator but needs modification. A more

useful indicator would be based on the number of acres, jobs and dwelling units and the value of property tax ratables resulting from brownfields remediation, although adjusting for brownfields remediated for the (non-ratable) benefit of the public recreation.

**Recommendation Made by** - Burlington County, Camden County

**Response:DISAGREE**

*The Brownfields Taskforce has not completed and verified an inventory of brownfield sites. Therefore, we are not able to measure the percentage of brownfields redeveloped. However, we are looking into creating an indicator that measures the absolute number of sites redeveloped annually, potentially based on No Further Action letters from DEP.*

**Issue # 28** – Modification of Additional Indicator 4, Percent of Brownfield Sites (or number of acres) Redeveloped.

**State Plan Citation (Existing)** – Monitoring, Evaluation and Assessment, Targets and Indicators, Additional Indicator 4, p. 270.

**State Plan Citation (Preliminary)** – Section 2, Goal 3, p.17.

**County Recommendation** – Certain redevelopment may not be in the best interest of “All Residents of New Jersey” if the redevelopment only benefits a small minority of residents while being paid for by a large majority of residents. The State Plan should monitor the cost impact of the development of these Brownfield sites, not just the percent of Brownfield Sites redeveloped, especially when largely funded by the State.

**Recommendation made by** - Atlantic County

**Response: DISAGREE**

*Cleaning up and reusing brownfields is a priority recognized at all levels of government. As with any other development, brownfields redevelopment may have economic, social and environmental impacts, but unlike greenfield development, brownfields areas typically already have infrastructure to accommodate impacts. Other benefits include the preservation of open space and resolution of contamination issues.*

**Issue # 29** – Modification of Additional Indicator 4, Percent of Brownfield Sites Redeveloped under Goal 1, Revitalize the State’s Cities and Towns.

**State Plan Citation (Existing)** – Indicators and Targets, Additional Indicator 4, p. 270.

**State Plan Citation (Preliminary)** – Section 2, Goal 1, p.15.

**County Recommendation** –Included in the Percent of Brownfield Sites Redeveloped indicator should be cost/benefit analysis of redeveloping the Brownfield Site. Brownfield’s are often much more expensive to redevelop and the construction process can often cause unwanted impacts on traffic and commerce in the area of the Brownfield Site.

**Recommendation made by** – Atlantic County

**Response: DISAGREE**

*Cleaning up and reusing brownfields is a priority recognized at all levels of government as an essential element of directing growth to appropriate areas.. Brownfields redevelopment will have the same economic, social and environmental impacts that other types of development create. However, unlike greenfield development, brownfields areas typically already have infrastructure to accommodate impacts. Other benefits include the preservation of open space and resolution of contamination issues Ultimately, local planning needs to adequately and appropriately address the nature and extent of development on brownfields sites in the same manner that other development is addressed .*

**Issue # 30** - New indicator for accessibility to major cultural and recreation sites under Goal 1

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 1 Revitalize the State's Cities and Towns, p. 16

**County Recommendation** - This indicator is a good one, but it assumes that these sites are ALL in smart growth areas, which is certainly not the case, particularly rural and exurban recreational sites. This indicator should be amended to include historical sites, and transferred to Goal #7, "Preserve Historic and Cultural Areas"

**Recommendation Made by** - Camden County, Burlington County

**Response: DISAGREE**

*This indicator does not assume that all these sites are in smart growth areas. Whether these amenities are in Smart Growth areas or not, we encourage increasing non-single occupancy vehicle linkages between areas throughout the state. Furthermore, we are considering a new goal regarding transportation, to which this new indicator may be added. In addition, these sites include historical, cultural, environmental and other forms of recreational and educational activities. Finally, the Plan's promotion of mixed use development and revitalization promote the preservation, restoration and maintenance of these areas.*

**Issue # 31** – New indicator for Goal 3 that measures the concentration of unsafe, underutilized buildings and abandoned vacant parcels in a municipality.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** –Section 2, Goal 3, Proposed Indicators, Page 17.

**County Recommendation** – Consider adding the following indicators to Goal 3 in the Preliminary Plan - 1) Number of census tracts with more than 25% of the housing units exhibiting two or more factors of deterioration; 2) Unsafe, underutilized buildings and abandoned vacant parcels per square mile.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*If a municipality has issues regarding conditions of blight, it may consider this as part of a potential redevelopment opportunity and explore further per the powers provided in the Local Redevelopment and Housing Law. Also, data may not be easily available for this indicator.*

**Issue # 32** - The housing cost indicator that measures the percent of New Jersey Households that pay more than 30% of their pre-tax income towards housing.

**State Plan Citation (Existing)** – Monitoring, Evaluation and Assessment, Targets & Indicators, Additional Indicator 20, p. 274.

**State Plan Citation (Preliminary)** – Section 2, Goal 6 "Provide Housing at a Reasonable Cost, p. 20

**County Recommendation** - This indicator should clarify whether it includes utilities and maintenance costs.

**Recommendation Made by** - Camden County

**Response: DISAGREE**

*We agree to clarify the indicator. However, the suggested change is difficult to measure and too variable based upon individual household differences to yield useful planning data.*

**Issue # 33** - The list of suggested new indicators for Goal #6 for the provision of housing at a reasonable cost.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 6 “Provide Housing at a Reasonable Cost,” p. 20

**County Recommendation** - The list of suggested new indicators for this goal is valid, but should be pared down to a few that get to core measures of product diversity, affordability, and smart growth location.

**Recommendation Made by** - Camden County

**Response: DISAGREE**

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants.*

**Issue # 34** - Suggested new indicator measuring the percent of New Jersey’s (State, County, Local) identified historic and cultural sites and institutions that are protected

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 7, “Preserve Historic and Cultural Areas,” p. 21

**County Recommendation** - It is unclear what a “protected” historic and cultural site means. Conceptually, this is a good measure, but the text should explain from whom and what, by whom or what, and how these sites are protected.

**Recommendation Made by** - Camden County

**Response: DISAGREE**

*While protecting historic and cultural sites is a desirable goal, this indicator is difficult to construct given the existing data. The State Plan is specific as it can be in this regard.*

**Issue # 35** - The stream life indicator that measures the percent of New Jersey’s streams that support aquatic life.

**State Plan Citation (Existing)** – Key Indicator 3, p. 266.

**State Plan Citation (Preliminary)** – Section 2, Goal #4 Protect the Environment, p. 18

**County Recommendation-** This indicator should clarify that it is based on stream miles and not individual streams.

**Recommendation Made by** - Camden County

**Response: AGREE**

*If this indicator is retained in the new State Plan, the suggested change will be made.*

**Issue # 36** - New Indicators – Greyfields Sites

**State Plan Citation (Existing)** - N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 3 - Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey, p. 22

**County Recommendation** - The 2004 Preliminary State Plan proposes a number of new indicators related to Goal #3 Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey. A new indicator should be the percent of greyfield sites (or number of acres) redeveloped. Greyfield sites are abandoned or underused sites with infrastructure capacity.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*While the redevelopment of greyfields is desirable, an inventory of greyfield sites has not been compiled and thus this indicator is not possible to construct at this time.*

**Issue # 37** – New indicator, Municipal Tax Base and Burden

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 1, p.16

**County Recommendation** - New Indicator, "Municipal Tax Base and Burden" should specify separate accounting for property taxes collected for municipal, school district and county purposes, as well as account for the effects on county and school district revenues of PILOTs (payments in lieu of taxes) received by municipalities from redevelopment agreements and from state and federal agencies associated with government facilities. The proposed indicator should also account for lands protected from development.

**Recommendation made by** - Burlington County, Cape May County, Camden County

**Response: DISAGREE**

*While we agree that we should address tax issues in the State Plan, we need to conduct further research on how this indicator can be best designed and what it should actually measure.*

**Issue # 38** – Modification of Key Indicator # 4, Meet Present and Prospective Needs for Public Infrastructure Systems

**State Plan Citation (Existing)** – Indicators and Targets, p. 266.

**State Plan Citation (Preliminary)** – Section 2, Goal 3, p. 17

**County Recommendation** – The preliminary plan proposes expanding the indicator to include public utility infrastructure. Public utility infrastructure is included under the Energy, Telecommunications, Water Supply and Wastewater Disposal infrastructure systems. It is possible that the Commission's implication is to measure these systems by ownership (public utility v. private utility), but the effect of such a distinction on policy responses is questionable.

**Recommendation made by** - Burlington County

**Response: DISAGREE**

*At this time we do not differentiate in the Plan between public and private infrastructure. Some information may become available with the completion of the Infrastructure Needs Assessment which is forthcoming as part of the work of our consultants.*

**Issue # 39** – Modification of Additional Indicator 21, Municipalities with Median Household Incomes of Less than \$30,000 per Year (in 1990 dollars)

**State Plan Citation (Existing)** – Indicators and Targets, p. 274.

**State Plan Citation (Preliminary)** - Section 2, Goal 3, p.17

**County Recommendation** – The preliminary plan proposes amending the indicator to monitor the number of municipalities that have average incomes of less than a certain percent of the New Jersey median. The original indicator is based on a published nationwide study delineating household income levels outside the range of housing affordability. While the proposed change would draw the indicator closer to COAH definitions of low and moderate income households, the change of basing the indicator on a municipality's (relatively variable and driven by the number of higher income households) median income instead of an absolute (though adjustable with inflation) threshold would relate more to adherence with a regulatory and programmatic convention than to the ability of households to afford housing within the community and does not have technical merit with regard to facing the challenge of housing affordability.



**Recommendation made by** - Burlington County

**Response:** AGREE

*Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants. When we reexamine the indicators, we may use the suggested change.*

**Issue # 40** - New Indicator, "Infrastructure Costs Per New Job or Unit of Economic Output by Planning Area" for Goal 3

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 2, Goal 3, p.18

**County Recommendation** - It is generally not possible to obtain Gross State Product input data by Planning Area for areas where municipalities are divided into multiple planning areas. Even use of municipal scale employment data allocated among Planning Areas introduce a range of error that render such an indicator not only difficult to measure or to replicate, but to be unreliable.

**Recommendation made by** - Burlington County

**Response:** AGREE

*We agree that the necessary input data is difficult to obtain and analyze and may propose an alternative definition of this indicator or drop the indicator entirely.*

**Issue # 41** - New Indicator, "Average transportation costs Per Capita and Per Job by Planning Area." for Goal 3

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** –Section 2, Goal 3, p.18

**County Recommendation** - This indicator may be misleading as it may be overly complex to estimate and yield results that are hard to replicate and even harder to interpret, at least in ways that favor the State Plan. Suburban and rural transportation costs may tend to be lowest due to higher travel speeds, lower insurance rates and absence of parking and transit fees. In order to foster the development of Centers, the new indicator should extend beyond planning area. There is a built in bias against jobs and transit in rural/suburban areas within the SDRP and through the political process. Reductions in time spent on the road, costs of accidents in time and money, air and water pollution and improved access to and utilization of social services must also be factors into the discussion.

**Recommendation made by** - Burlington County, Sussex County

**Response:** AGREE

*We agree that this methodology currently used in this indicator is flawed in its analysis. Additionally, it will be difficult to produce a consistent and objective methodology for this indicator.*

**Issue # 42** - New Indicator to Goal 6: Provide Housing at a Reasonable Cost

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section 2, Goal 6, p. 20

**County Recommendation** – The preliminary plan proposes the addition of indicator that monitors the Number of Municipalities with Substantive Certification . . . ." While an acceptable indicator if adjusted to account for municipalities that are not required to petition COAH, the Commission contradicts its earlier ban on planning and procedural-based indicators.

**Recommendation made by** - Burlington County

**Response:** AGREE

*We agree that this is a process-based indicator that should be eliminated. The focus should be on results, in this case, the percent of households paying more than 30% of their pre-tax income toward housing.*

**Issue # 43** - New Indicator to Goal 6: Provide Housing at a Reasonable Cost

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section 2, Goal 6, p.20

**County Recommendation** – The preliminary plan proposes the addition of an indicator that monitors the number of affordable housing units financed by HMFA and NJDCA. It is not clear how this indicator improves on the more comprehensive, and less procedural, Additional Indicator 24, Annual Production of Affordable Housing, which is proposed for deletion under Preliminary Plan.

**Recommendation made by** - Burlington County

**Response: AGREE**

*We are working on improving this and other housing indicators using newly available data from DCA's Division of Codes and Standards.*

## **VI. Population, Employment and Housing Projections**

**Issue # 1** - Population and employments projections from NJTPA.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Appendix A. Population, Employment, Other Stats pp37-38

**County Recommendation** - There is consensus among municipalities that it is unrealistic to predict specific levels of growth past 2020. Coordination with the Pinelands Commission and Pinelands Housing Task Force will be required to select a consistent set of projections.

**Recommendation made by** - Ocean County

**Response: DISAGREE**

*The OSG is legally bound to compile and publish projections. We feel that maintaining our 20-year time horizon across Plans is the most appropriate way to go about this to provide a framework for planning for New Jersey's future. Whenever possible, the Office of Smart Growth coordinates with other agencies to coordinate projections.*

**Issue # 2** - Several municipalities raised concerns regarding the use of population and employment projections included in the State Plan being used as a basis for determining growth share housing obligations.

**State Plan Citation (Existing)** - Relationship of the State Plan to Other Plans, p. 279 Policy #7 Housing. Page 139.

**State Plan Citation (Preliminary)** - Relationship of the State Plan to the Council on Affordable Housing. Pages 10-12

**County Recommendation** - If COAH is using a growth share methodology determined by applying a ratio of affordable housing need to total housing units built and total jobs created, it is not clear how the projections will be applied. Requests clarification on the application of these projections.

**Recommended By** : Gloucester County

**Response: DISAGREE**

*State Plan or other projections are used to guide COAH review of affordable housing plans. They*

*do not dictate growth share. Actual housing and employment growth determine the provision of growth share.*

**Issue # 3 – Population and Employment Projections**

**State Plan Citation (Existing)** – Statewide Policy 7. Housing, p. 136

**State Plan Citation (Preliminary)** - Statewide Policy 7. Housing, p. 27

**County Recommendation** – In response to their Cross-Acceptance responsibilities, counties across New Jersey are producing population and housing projections and, in some instances, employment projections. Both metropolitan planning organizations (MPO's) and the NJ Department of Labor also produce projections, though projection periods may vary from entity to entity. Regardless of the numbers ultimately adopted by the State Planning Commission. The County urges the MPO's and NJ Department of Labor to provide transparency to their methodologies and data so that municipalities undertaking their Housing Elements fully understand how the numbers are derived. Additionally, the State Planning Commission should negotiate projections jointly between counties, MPO's and the NJ Department of Labor.

COAH's rules call for a variety of affordable housing projects to locate in Centers within Planning Areas 3, 4, 4B and 5 regardless of size. But smaller scale projects should not necessarily have to locate in Centers within rural and environmentally sensitive Planning Areas. Municipally sponsored construction, for example, may result in but a handful of new units or one or two group homes. In an existing rural area, why should such a facility become the foundation for a Center? The Office of Smart Growth must develop criteria to provide waivers in these types of situations.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Most projection generators provide documentation as to their methodology. For example, NJTPA even provides the model that they use so that one can run the model differently on other assumptions. As far as negotiation, NJDOL is required to use and document a particular procedure for their projections. Therefore, they are not able to alter their procedures.*

*Regarding the issue of the location of affordable housing projects, there is no requirement that a rural community build these units in a center. On a statewide basis, the majority of affordable housing units will likely be built in Centers and the Metropolitan and Suburban Planning Areas. Locating these units close to employment centers and transportation options makes sense. However, rural municipalities also have affordable housing obligations. The COAH rules are sufficiently flexible to permit a broad range of options for municipalities, especially rural communities, to meet their obligations outside of a center setting and in a manner that is consistent with the character of the community..*

**Issue # 4 - State level population and employment projections**

**State Plan Citation (Existing)** – Appendix, p. 283.

**State Plan Citation (Preliminary)** - Section 6 - Pop. and Emp. Proj. for 2025 pp 36-38

**County Recommendation** - Request shortened time horizon for Population and Employment Projections

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*The OSG Plan is legally bound to compile and publish projections. We feel that maintaining our 20-year time horizon across Plans is the most appropriate way to go about this to provide a framework*

*for planning for New Jersey's future. Whenever possible, the Office of Smart Growth coordinates with other agencies to coordinate projections.*

**Issue # 5 - Population Projections**

**State Plan Citation (Existing)** - Page 116

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The 2001 State Plan says "the intent of the State Plan [is] that the full amount of growth projected for the state should be accommodated." The above statement should be removed from the State Plan. Furthermore, the State Plan should provide or reference a technical document that sets forth methods and thresholds for determining appropriate levels of growth that support, rather than unravel, the State's vision. The State must invest in detailed, transparent and grounded studies to truly assess the State's carrying capacity to accommodate future growth, particularly in its more suburban and urbanized areas, where the State Plan encourages growth to occur.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*The State Plan seeks to accommodate population and economic growth that is diverse in its socioeconomic and demographic makeup. The Plan encourages more constructive land use patterns to balance growth and preservation. The State Planning Commission continues to explore ways to analyze land use and growth patterns.*

**Issue # 6 - Demographics**

**State Plan Citation (Existing)** - 28. Comprehensive Planning, Policy 28, p. 115

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Policy 28 calls for using a common set of household, employment and population forecasts in plans, programs and project design. But the State Plan also includes multiple forecasts developed by different entities, including Metropolitan Planning Organizations, NJ Department of Labor and counties. Do you believe one set of uniform forecasts should be used to make State and local policy decisions? Most individuals believe a range should be maintained for purposes of making policy decisions, although some prefer a unified set of projections.

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*While common projections allow for common discussion points, projections are necessarily generated for specific purposes and therefore are often quite divergent. Although the OSG is considering unifying as many projection sets as possible, the effort needs to be taken slowly and carefully. NJDOT has long supported the idea of a common, or unified set of population and employment forecasts that would show trend and plan scenarios. This proposed approach would prove useful to state agencies in their planning efforts.*

## **VII. GLOSSARY**

**Issue # 1 – Historic and Cultural Resources in definition of Smart Growth**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 5, Changes to Glossary

**County Recommendation** – The definition of "Smart Growth" found on page 30 of the document

titled Building a Better New Jersey dated April 28, 2004 (The New Jersey State Development and Redevelopment Plan - Preliminary Plan should be amended to include the words “historic and cultural resources” in the first sentence to reflect that these important resources should be preserved.

**Recommendation made by** - Morris County

**Response:** AGREE

*We agree to add historic and cultural resources in the definition.*

**Issue # 2** - Areas of Agricultural Industry Growth

**State Plan Citation (Existing)** - N/A

**State Plan Citation (Preliminary)** – Section 5, Changes to Glossary, Areas for Agricultural Industry Growth, p. 30

**County Recommendation** - Areas of agricultural industry growth should be recognized as existing or planned agricultural industry nodes, rather than smart growth areas.

**Recommendation made by** - Hunterdon County

**Response:** AGREE

*Agree, this change will be made.*

**Issue # 3** - Definition of Areas for Agricultural Industry Growth

**Preliminary State Plan Section** - Section Five: Changes to Glossary, page 30

**Section in Existing State Plan** - N/A

**County Recommendation** - This term is insufficiently defined in the absence of supporting narrative and policies within the State Plan Policy Map chapter. The State Plan needs to define the rules for delineating these areas; what functions they serve; in which planning areas they may be located; what resources, if any, are prioritized or dedicated to such areas; and how these areas relate to the Department of Agriculture’s Agricultural Smart Growth Plan for New Jersey.

**Recommendation made by** - Burlington County

**Response:** AGREE

*Areas of agricultural industry growth should be recognized as existing or planned agricultural industry nodes, rather than smart growth areas.*

**Issue # 4** - Deletion of Identified and Proposed Centers from the Glossary

**Preliminary State Plan Section** - Section Five: Changes to Glossary: Pages 33 and 35

**Section in Existing State Plan** - N/A

**County Recommendation** - Burlington County requests that the Commission’s proposal to delete the definitions and listings of Identified Centers and Proposed Centers be withdrawn. Although the State Planning Commission has not officially designated these centers either directly or through Endorsed Plans, this list is a very useful reference for State, regional and county agencies, alerting them to the local intent for these places even in the absence of a State Planning Commission-approved Planning and Implementation Agenda. These designations should guide agencies in making Smart Growth investment and permitting decisions in and around these future centers so that the opportunity for these areas to become Endorsed Plan Centers is not aborted by uninformed State agency actions. In order to avoid confusion, Burlington County accepts an alternative approach in which Identified Centers and Proposed Centers are not depicted on the official State Plan Policy Map (SPPM), including the quads, but are instead displayed on an Information Map or data layer that is subordinate to the SPPM, much in the same way as the other data layers that comprise the overall map are included within the State Plan.

**Recommendation made by - Burlington County**

**Response: DISAGREE**

*Since these geographic entities are no longer used as an official part of the State Plan, they have created substantial confusion for users of the State Plan.*

**Issue # 5 -** Clearly define priority assistance for centers in the state plan.

**State Plan Citation (Existing)** – Centers, p. 287

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Add definition of priority assistance for designated centers as defined on page 287.

**Recommendation made by - Warren County**

**Response: AGREE**

*We agree that priority assistance should be more defined, but the glossary of the State Plan is not the appropriate location for this information. As part of a comprehensive review of the State Planning Rules and the Plan Endorsement Guidelines, we intend to work with partner agencies to more clearly delineate technical and financial benefits for municipalities and counties with endorsed plans, including designated centers.*

**Issue # 6 -** Smart Growth Areas

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 5, Glossary, p.30

**County Recommendation** - Smart Growth Areas should be limited to PA 1 and 2 and designated growth Centers (as opposed to limited growth Centers). Designated growth centers need to be distinguished from other types of designated Centers. Both the State Plan and fast track legislation should be amended to reflect this and to bring definitions into consistency.

**Recommendation made by - Hunterdon County**

**Response: DISAGREE**

*The State Plan does not prohibit growth or development anywhere in the State. However, if the Plan is to be a useful guidance document and a method of rewarding good planning, then Centers must necessarily accommodate growth that is appropriate for that particular center. Larger scale development is ideally directed to “smart growth areas” in PA 1, PA 2 or Centers. Rural areas of the state will undoubtedly experience some amount of growth which should primarily be accommodated within designated centers. Ultimately, any development that takes place must be appropriate for its location and scaled to and designed within the both the resource and infrastructure constraints of that location.*

**Issue # 7 -** The State Plan should include redeveloping economies in the definition of “Smart Growth”.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Section 5, page 30.

**County Recommendation** – The definition should include “improvement to redeveloping economies” as one of the principles supported by smart growth.

**Recommendation made by - Essex County**

**Response: DISAGREE**

*The first sentence for the definition of Smart Growth discusses the promotion of redevelopment and urban revitalization.*

**Issue # 8 - Smart Conservation Areas**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should add a definition for the term "smart conservation areas". Smart conservation embraces two key concepts: preserved lands in the environs of smart growth areas and promote sustainable development in the environs of smart growth areas. Sustainable development is planned and designed in a way that preserves and regenerates the natural environment. Since development is bound to continue even in the environs of Planning Areas 3 – 5, it must be done with the utmost respect for the natural environment and rural landscapes within which it resides.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*We believe this concept is adequately addressed by policies and programs for the preservation of land and natural resources and for Center-based development.*

**Issue # 9 - Growth Centers v. Limited Growth Centers**

**State Plan Citation (Existing)** - (P230) and (Page 249)

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Expand the definition of Commercial-Manufacturing Node to acknowledge stand-alone office campuses that are not necessarily a part of a concentration of commercial facilities.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*It is true that office campuses represent a significant level of land use in the state. However, the node concept was created to accommodate land uses, such as manufacturing, that may not be desirable in a mixed-use setting. In comparison, office use is more compatible with other uses such as residential and retail.*

**Issue # 10 -** The State Plan definition of a Node conflicts with the Policies for existing and new Nodes. The State Plan currently defines a Node as “a concentration of facilities and activities which are not organized in a compact form.”

**State Plan Citation (Existing)** – State Plan, Planning Areas, Policies 4 and 5 for Planning Areas, page 229; State Plan Glossary.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The Glossary definitions and Policies 4 and 5 for Planning Areas should be revised to put forth a unified representation of the form new and existing Nodes should take, specifically whether they should be in a compact form.

**Recommendation made by** - Essex County

**Response: AGREE**

*We agree to modify the definitions so that nodes are encouraged to be as efficient as possible in the use of land.*

**VIII. STATEWIDE POLICIES**

**Issue # 1** - Unwieldiness and sheer number of policies in State Plan weaken its impact and effectiveness locally.

**State Plan Citation (Existing)** – Statewide Policies, p.110-180

**State Plan Citation (Preliminary)** – Section 3 - Changes to the Structure of the “Statewide Goals, Strategies and Policies Section” pg. 22

**County Recommendation** - Remove or re-structure policies which are contradictory or which have no possible funding source.

**Recommendation made by** – Cumberland County

**Response: AGREE**

*It is self-evident that those policies that are contradictory will be removed or restructured in order to ensure that the State Plan is more concise and user friendly. In addition, we are making every effort to more clearly identify how to implement the State Plan locally, particularly through the State Plan Policy map objectives and through expanding upon the design and examples insert.*

#### **A. Statewide Policy #1 – EQUITY**

**Issue # 1-** The State Plan increasingly provides a regulatory framework.

**State Plan Citation (Existing State Plan)** – p.110-111

**Preliminary State Plan Section** – Statewide Policy 1, p.24

**County Recommendation** - In the revised last paragraph for Equity Policy, the statement that that the plan is not designed to regulate and should not be applied to the future use or intensity of use of specific parcels of land is at best, disingenuous. The State Plan increasingly provides a regulatory framework for state agency permits and programs, including the prioritization of public infrastructure investments and application of environmental regulations and permitting processes based on Planning Area delineations at the site-specific level. The State Plan also impacts future land use types and intensity within and outside of Centers directly (through the permitting and funding prioritization and indirectly (through its density guidelines for Centers and Planning Areas).

**Recommendation made by:** Somerset County

**Response: DISAGREE**

*The State Plan supports and influences the regulations of other state agencies. The State Plan is, by definition, a planning document that provides a planning—not regulatory--framework of goals, policies and planning areas, to guide decisions concerning how and where the state will grow in a manner that maintains our quality of life. The Plan provides the goals and policies to be pursued by any and all entities and citizens responsible for making decisions about how and where people in our state live, work, shop and recreate. It is the intention of the Plan to guide the thinking of all who make decisions at the state, county, and local levels regarding their jurisdiction’s programs, plans, regulations, permits and other actions as related to the broad subject of the State Plan. The State Plan provides planning guidance subject to additional and detailed analysis when decisions and/or actions are contemplated that impact or potentially impact specific land parcels. Standards included in the plan are intended to be flexibly applied in order to account for local context and variations. Plus, this equity language was in the current plan, that part has not been revised.*

**Issue # 2** – Language of New Policy 2, Environmental Justice should be considered

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – Statewide Policy #1: Equity, Page 24.

**County Recommendation** - Last sentence of the policy should be changed to read as follows:



Ensure that planning policies and regulations prevent disproportionate adverse exposure to environmental health risks, including fine particulate pollution, by communities where concentrations of minority, low-income, and/or youth populations reside that exceed the state average. (Additional language underlined)

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*The state is committed to ensuring Environmental Justice and believes the language currently contained in this portion of the State Plan adequately and accurately defines sets forth guidelines for avoiding the creation of a disproportionate impact on any segment of the state's population.*

**Issue # 3 - Diversity and Integration - Social, Racial, Ethnic, and Economic:** The proposed 2004 Preliminary New Jersey State Plan does not reflect adequately that our State is one of the most socially, racially, ethnically, and economically diverse in the nation. Study after study indicates that NJ Schools and neighborhoods are some of the most segregated in the nation. Some reasons for this problem include the nature and location of jobs and financial disincentives in the private marketplace to provide quality affordable housing, amongst others.

**State Plan Citation (Existing)** - Vision Statement p.15, Goal #1 Revitalize the State's Cities and Towns p.25, Policy #1 Equity and Environmental Justice p.110

**State Plan Citation (Preliminary)** - Policy #1 Equity and Environmental Justice, p.24

**County Recommendation** - The lack of effective planning to address these issues of diversity and integration has resulted in the concentration of poverty, unemployment, and substandard housing. Amendments must be made to the plan to better correct these current injustices and to prepare for a better future integration of people of New Jersey if we are to have a stable transition of our society, as specifically identified in the legislative findings and declarations of the State Planning Act.

**Recommendation Made by** - Camden County

**Response: AGREE**

*We agree that more attention is needed in the State Plan to reflect issues of diversity and integration, but not only in those policies of urban revitalization. Diversity and integration are cross-cutting issues that are all inclusive and have impacts beyond the urban areas. We will assess how to integrate this into the Plan more holistically.*

**Issue # 4 - Reorganization of Goals and Policies as it relates to Statewide Policy on Equity**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section Three: Changes to the Structure of the Statewide Goals, Strategies, and Policies, p. 22-23.

**County Recommendation** - The Statewide Policy on Equity, as THE most crosscutting policy, is completely undercut by limiting it to the Economic State Plan Goal. Clearly, it applies to housing and infrastructure issues as well (noting that environmental justice has become institutionalized as an issue through community responses to existing and proposed infrastructure investments). Over the course of the past 13 years, the Equity Policy has served the State Plan very well as a principle that holds the State Plan together. In placing the Equity Policy within the economic and agricultural goal, urban interests and even agricultural interests may feel violated by what appears to be a de-emphasis, and potential siloing, of this policy. The proposed reorganization should be withdrawn and the existing (2001) structure of State Plan Goals and Statewide Policies should be retained.

**Recommendation made by** - Burlington County

**Response: AGREE**

*We agree with the county recommendation that Equity should be separate heading because it cross-cuts all other policies.*

## **B. Statewide Policy #2 - COMPREHENSIVE PLANNING**

**Issue # 1** - Redevelopment efforts in urban areas should be equally applied to older suburban and rural areas.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 2, Comprehensive Planning, Policy, pg 111, Statewide policy 3, Public Investigation and priorities, sub policy 5, p 119

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The proposed role for the State is to support the notion that redevelopment should be emphasized equally in older suburbs and rural areas as it is presently in larger cities and urban areas. These rural communities have not had the opportunity to participate in the State’s Urban Enterprise Zone and Urban Coordinating Council Programs which have provided critical seed money for redevelopment planning and projects. Similarly, most of these communities are not eligible for critical environmental and infrastructure funds available through the NJ Redevelopment Authority. Thus, policy changes at the state level are recommended to support regional planning efforts.

**Recommendation made by** - Salem County

**Response: DISAGREE**

*While redevelopment is a preferred method of achieving sustainable growth in the state, it cannot take place without regard for the location of the proposed development or constraints on development that may exist. A rural location may not always be appropriate for growth, even though it may be taking place through redevelopment. Redevelopment projects, especially in rural areas where support infrastructure often does not exist, must be evaluated for their impacts on overall planning considerations in the location they are proposed in.*

**Issue # 2** - Intergovernmental

**State Plan Citation (Existing)** - Statewide Policies #2 Comprehensive Planning #3 Public Investment Priorities and #4 Infrastructure Investments

**State Plan Citation (Preliminary)** - Revised and new policies under Statewide Policies #2, Comprehensive Planning and #4 Infrastructure Investments

**County Recommendation** - Appropriate municipal services should be regionalized at the county level or above to minimize expenditures on bureaucracy, waste, disposal, public safety, schools, and utilities.

**Recommendation made by** - Middlesex County

**Response: AGREE**

*Add to Plan under “Comprehensive Planning” a revision of the above County recommendation (perhaps under a heading entitled “Intergovernmental or Regionalization of Services”), as follows: To reduce inefficiencies and costs, promote at the county, state and/or inter-municipal level the regionalization of appropriate municipal services.*

*There are many successful examples throughout the state of municipalities sharing local services to reduce costs while not impacting negatively on the effectiveness of the delivery of those services. These efforts should be encouraged, at the same time additional efforts should be advanced, to*

*study and, if possible, implement the regionalization of appropriate municipal services that are intended to lead to improved efficiencies and more effective delivery of services.*

**Issue # 3** - Concerns with maintaining municipal authority with State Plan mandates.

**State Plan Citation (Existing)** – Statewide Policy 2. Comprehensive Planning, p. 111

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – With regard to #2 Comprehensive Planning, General Planning Policies and Collaborative Planning, there are many policies that promote regional planning and multi-jurisdictional planning. While regional planning and multi-jurisdictional planning should be supported and are an important aspect of comprehensive planning, the reality in New Jersey is that it is a home rule state, and the municipal master plan is the primary tool to establish land use. The criticism here is that there are no policies that acknowledge the home rule nature of this state. While intergovernmental cooperation and planning is a laudable goal, individual communities have their own character needs, assets and problems.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*The State Plan seeks to call attention to the need for local jurisdictions to take a more inclusive, comprehensive and long-term view of the impact that their decisions will have upon their neighbors AND upon their own residents. We acknowledge the home rule status of NJ. The purpose of the State Plan is to bring a more regional perspective to local land use issues. There is value in articulating and promoting policies that seek to enlighten local, county and state decision-making, such as the consideration of intergovernmental cooperation and planning.*

**Issue # 4** - Include language regarding responsible growth management strategies and local plan support at the state level.

**State Plan Citation (Existing)** – Statewide Policy 2. Comprehensive Planning, p. 111

**State Plan Citation (Preliminary)** - Statewide Policy 2. Comprehensive Planning, p. 24

**County Recommendation** – Although the plan goals, objectives and policies are broad in nature and indicate that existing housing and commercial neighborhoods are to be preserved where appropriate, we recommend that language be added with emphasis on the following -

1. Growth should only occur where needed, and not be used as a tool to justify the elimination of stable residential neighborhoods, commercial districts and remaining vacant lands with that of more intensive development than what would otherwise be permitted by local ordinance and existing transportation routes.

2. Support of local master plans should be clarified within the plan

**Recommendation made by** - Morris County

**Response: AGREE**

*The State Plan seeks to maintain and promote stable residential neighborhoods, commercial districts, and open space. While a main goal of the State Plan is to accommodate growth and demand for growth through redevelopment of areas where infrastructure already exists, any proposal and/or market forces leading to an intensification of growth and development must take into account the impact on the area where the change is contemplated. This includes the extent to which growth might lead to neighborhood de-stabilization as well as the ability of local resources and infrastructure capacity to support the proposed development. An impact assessment must take into account current plans to insure stabilization in the short and long term assuming additional growth does not occur.*

*Notwithstanding all the places where local master plans are discussed in the State Plan, it is, or should be, self-evident, that the State Plan seeks to guide development and influence decisions concerning local master plans such that the local plans are compatible with the State Plan. It is, in fact, the local master plan and zoning that are the primary determinants of the location, type, intensity and design of land uses.*

**Issue # 5 - Interagency Coordination**

**State Plan Citation (Existing)** - Participation at All Levels of Government - Role of State Agencies, page 278

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The determination of New Jersey's growth management policies should not be left to the independent actions of any individual agency (such as the Big Map initiative of the Department of Environmental Protection). By statute, the growth management policies of New Jersey are established by the State Planning Commission (SPC), memorialized in the State Plan, and implemented by the state agencies; not determined on an ad hoc basis by individual agencies. Explicit affirmation should be made in the State Plan that changes in growth management policy shall come through the State Planning process and discussed openly through Cross-acceptance. The State needs to better coordinate its various agencies.

**Recommendation made by** - Burlington County, Middlesex County

**Response: AGREE**

*We agree with the county recommendation, although we note that by state statute, the State Plan sets forth the growth management policies to guide state actions to achieve those policies. State departments are required to adhere to the State Plan as prepared by way of an open process managed by the State Planning Commission.*

**Issue # 6 – Educational Training and Planning**

**State Plan Citation (Existing)** - Planning Education and Training, p. 111

**State Plan Citation (Preliminary)** – Statewide Policy #2 - Comprehensive Planning (page 24);

**Revised Policy #3:** Planning Education and Training (page 111)

**County Recommendation** – Mandating additional training programs in schools must consider the needs criteria to which public schools are subject and must also include equal application to private schools. Funding for all such initiatives, particularly in light of recently enacted caps must be a pre-condition of any requirement.

**Recommendation made by**- Sussex County

**Response: DISAGREE**

*The State Plan is a policy guide that is intended to inform the decisions of state agencies and is not intended to set mandates or regulatory programs. The purpose of this proposed change was to suggest planning education should be a priority, not to mandate it.*

**Issue # 7 – TDR and relationship to local and state tax Systems and the ratables chase**

**State Plan Citation (Existing)** – Policy 29, Tax Systems and the Ratables chase, p.115.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Because of real estate values in the northern part of the State, participants question the economic viability of TDR. The concern is that it would result in undesirable density bonuses in the receiving areas. Generally, they do not welcome the idea of being a TDR receiving area. New Jersey's urban areas should receive growth through TDR.

Hunterdon County municipalities do not want to be receiving areas for development transferred from the Highlands Preservation Area.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*The Highlands Council is currently working on their Regional Master Plan to determine the type and location of development within the Highlands. The Council's plan will be coordinated with the State Plan. The above issues will be addressed within this process. But either way, becoming a TDR receiving area is a choice, not a requirement. Additionally, the Highlands legislation specifically authorizes the voluntary transfer of development rights to any appropriate location in any municipality in the seven Highlands counties, including municipalities outside of the Highlands Region.*

**Issue # 8 – Definition of Sustainable Development**

**State Plan Citation (Existing)** – p.335

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – “Sustainable Development” means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The State Planning Commission must coordinate interagency understanding of and support for sustainable development. State agencies must revisit and overhaul as needed their own permitting programs, particularly environmental permitting, to facilitate sustainable development.

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*We are working with the Interagency Team and the Counties to incorporate the State Plan into state agencies' programs and regulations. It is our interpretation that planning decisions made with the State Plan as a guide to facilitate sustainable development.*

### **C. Statewide Policy # 3 - PUBLIC INVESTMENT PRIORITIES**

**Issues # 1 – Capacity analysis**

**State Plan Citation (Existing)** – Public Investment priorities, p.116

**State Plan Citation (Preliminary)** – N/A

**Recommendation** - Findings: The 2001 State Plan says "the intent of the State Plan [is] that the full amount of growth projected for the state should be accommodated." (p. 116) This policy statement is strongly opposed by Hunterdon County. The policy statement should be removed from the State Plan. Furthermore, the State Plan should provide or reference a technical document that sets forth methods and thresholds for determining appropriate levels of growth that support, rather than unravel, the State's vision. The State must invest in detailed, transparent and grounded studies to truly assess the State's carrying capacity to accommodate future growth, particularly in its more suburban and urbanized areas, where the State Plan encourages growth to occur.

**Recommendation by** - Hunterdon County

**Response: DISAGREE**

*The State Plan seeks to accommodate population and economic growth that is diverse in its socioeconomic and demographic makeup. The Plan encourages more constructive land use patterns to balance growth and preservation. The State Planning Commission continues to explore ways to analyze land use and growth patterns.*

**Issue # 2 - Transportation Policies**

**State Plan Citation (Existing)** - Integration of Land Use and Transportation Planning, page 140. Summary of Public Investment Priorities, Page 117.

**State Plan Citation (Preliminary)** - Coordinated Transportation Planning

**County Recommendation** - The Transportation Policies in the State Plan should include a policy (or policies) specific to the Transit Village Initiative of the NJDOT and NJ Transit. Policy language in this regard should offer priority public funding to a designated transit village municipality. It is recommended that the transit village policies be framed as or subtitled as "Coordination with NJDOT and the Transit Village Initiative." Summary of Public Investment Priorities (p.117) item #2 should be revised to add "municipalities with transit village designation by NJDOT." Alternately, item #5 may be revised to add another bulleted item of the same language.

**Recommendation made by** - Bergen County

**Response: DISAGREE**

*While Transit Villages are important, the advancement of this planning mechanism is more appropriately handled within specific departmental programs rather than requiring a separate heading within the State Plan. Moreover, the transit village program represents just one method of implementing smart growth.*

**Issue # 3 – Over dependency on property tax for funding.**

**State Plan Citation (Existing)** – Comprehensive Planning, Assessing Impacts of Development Plans and Proposals, Policy 2, p. 111

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Property tax is the basis for funding local government and public education. When education consists of 60 percent of a tax bill, local government is reluctant to zone for more housing, which equates to more school children. Municipal officials are more receptive to commercial and industrial development because it does not add to school enrollment. Other ways of funding education to reduce the reliance on the property tax is needed to change one of main reasons behind many planning and zoning decisions. The State Development and Redevelopment Plan should discuss and recommend different funding methods. Also, property-taxing policies that make housing projects undesirable because of the associated costs to schools needs to change.

**Recommendation made by** - Warren County, Atlantic County

**Response: DISAGREE**

*The purpose of the State Plan is to recommend sustainable land use policies that meet New Jersey's current and future needs. This includes the full range of potential land uses and directing the development of those uses to appropriate areas of the state. Property tax considerations should not drive the land use decision making process. There is no doubt that high property taxes are an issue in the state. There is widespread recognition that reliance on local property tax has led to local land use decisions that favor industrial and commercial development over residential development because residential development can lead to the need for additional taxes to pay for the education of school-age children. However, the result of this method of planning has rarely been a significant or substantial reduction in local property taxes. Alternatives to the current local property tax structure and school funding methodology should be considered, but specific alternatives are outside the scope of the State Plan. Reform of the local tax structure may reduce the often exclusive focus on "chasing after" commercial development and promote more rational planning."*

**Issue # 4** - New growth Centers should not be built to accommodate projected growth while existing urban and suburban Centers languish in neglect and disrepair.

**State Plan Citation (Existing)** – 3. Public Investment Priorities, p. 116

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan sets forth a system of allocating public investments across New Jersey (p. 116 of the 2001 State Plan). Participants agree with the Public Investment Priorities as presented in the Plan. Participants feel that it is unrealistic to accommodate projected growth without compromising quality of life. Chances are, the State's infrastructure cannot accommodate this growth, nor can the natural environment. The State should recognize that there is a maximum threshold beyond which the State cannot afford to grow. It is inappropriate to base goals on unrealistic projections. New growth Centers should not be built to accommodate projected growth while existing urban and suburban Centers languish in neglect and disrepair. The State must reinvest in these areas and redirect growth accordingly.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*There are a number of principles guiding the preparation of the State Plan, including, the need a) to insure that choices are available to our citizens regarding where they wish to live and work, and b) to channel development pressures and market forces consistent with smart growth principles. We accept part of the recommendation concerning the need to focus growth within existing urban centers; however, not at the exclusion of advancing a more holistic policy of, at the same time, insuring that other alternatives to sprawl are available in properly planned growth centers capable of accommodating New Jersey's needs.*

**Issue # 5** - The State Plan Policy Map should use Cores and Nodes as a way of better directing planning and funding efforts. Funding to Cores, which often serve as neighborhood centers, and to Nodes, which serve as employment and service centers to the region, should be emphasized in the State Plan as a fundamental planning policy that further directs planning efforts and State funding.

**State Plan Citation (Existing)**– Summary of Public Investment Priorities, page 117.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Include Cores and Nodes under Public Investment Priorities 2, 3, 4, and 5, listed on page 117.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*Cores and Nodes are an important piece of the Plan's land use policies, but we remain committed to center-based mixed use development as the primary focus. On the one hand, recognizing that all development will not take place in urban areas and there is a need for more compact places in suburban areas, the idea of including cores and nodes provides an attractive framework for organizing development in these areas. On the other hand, the acceptance of the idea of cores and nodes could lead to an unrestricted proliferation of development outside of urban areas.*

**Issue # 6** - The State Plan should promote priority funding and expeditious regulatory review for infrastructure improvements in areas that have been designated in Need of Rehabilitation and Redevelopment and have adopted Rehabilitation or Redevelopment Plans.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 3 Infrastructure Investments, page 119; Summary of Public Investment Priorities, page 117.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Include under Policy 5 Secondary Considerations of Statewide Policy 3, Areas in Need of Rehabilitation and Redevelopment with Adopted Redevelopment and/or Revitalization Plans. Areas in Need of Redevelopment and Areas in Need of Rehabilitation should be added to the Summary of Public Investment Priorities 2, 3, 4, and 5.

**Recommendation made by** - Essex County

**Response:** DISAGREE

*We recommend disagreeing with the county recommendation, because ANR is just one designation among many others that the state will take into account when determining their priorities.*

#### **D. Statewide Policy # 4 - INFRASTRUCTURE INVESTMENTS**

**Issue # 1** - Enhance the Coordination of School Facility and Land Use Planning -

**State Plan Citation (Existing)** – School Planning Policy 8, p. 121

**State Plan Citation (Preliminary)** – Statewide Policy 4, Infrastructure Investments, p. 25

**County Recommendation** - Enhance the Coordination of School Facility and Land Use Planning: Establish an institutional framework that will engage the State Department of Education, County and local School Districts, Board of Education and educators in the State Plan Cross-acceptance Process and the county and municipal master plan process. Promote the consistency of School program and facility plans and capital budgets with the State Plan and endorsed plans.

**Recommendation made by** - Somerset County

**Response:** AGREE

*It is critical to the advancement of smart growth planning to insure that local school plans are compatible with the State Plan and locally endorsed plans. School boards often make decisions independent of any municipal-wide land use planning process with the result that the local planning process often reacts to and is impacted by the decisions of the school board. School locations, when properly coordinated with local land use plans, can play an integral role in creating safe, walkable and “user-friendly” neighborhoods which reduce the reliance on the automobile to access the school site. Also, balancing proposed development with current or expected school capacity can avoid the problems created by overcrowded or inadequate school facilities. Conversely, better coordination between school boards and local governing bodies can also serve to better inform the long-term capital plans of school districts by adequately informing the districts of impending development.*

**Issue # 2** - Municipal, County, Regional and State Investments in Infrastructure To Guide Growth

**State Plan Citation (Existing Plan)** – Goal 5. Provide Adequate Public Facilities and Services at a Reasonable Cost, p. 70

**State Plan Citation (Preliminary Plan)** – p. 19

**County Recommendation** – The primary focus or vision of the plan is to discourage growth from occurring in the rural areas of the state and to direct new growth into existing or new centers (towns, villages, cities) at gross densities of three housing units per acre and 5,000 persons per square mile. From a land consumption point of view this makes sense, however the need to provide or expand infrastructure such as central water and sewer, transportation, and schools needs to be adequately addressed. Without an adequate system to finance the additional infrastructure, focusing growth into centers that require the services will be difficult to support.

**Recommendation made by** - Warren County

**Response:** AGREE



*Adequate funding of infrastructure is a complex challenge. The 2001 State Plan indicates that priority assistance be given for designated centers and endorsed plans. This is based upon the assumption (and the experience) that development follows major infrastructure investment such as sewer and water systems. The plan also indicates that county and regional agencies should plan for appropriate locations and sizes of centers based on projected population growth and that growth between centers within a region should be balanced. Planning for centers of a reasonable size and balancing their needs within a regional context helps to manage the financial impacts of infrastructure investments and to appropriately plan for anticipated capacity needs. Proper funding of infrastructure that supports the goals of the State Plan is essential.*

**Issue # 3** - Municipalities need technical and financial assistance to develop the infrastructure necessary for growth and development. NJDEP should expedite/provide technical assistance relative to wastewater systems permitting in designated Centers and smart growth areas.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 4, Infrastructure Investments, subpolicy 13, Infrastructure and Centers and Areas with Endorsed Plans, page 122

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – NJDEP should expedite/provide technical assistance relative to wastewater systems permitting in designated Centers and smart growth areas.

**Recommendation made by** - Salem County

**Response: AGREE**

*In order to encourage the implementation of smart growth policies within designated centers and smart growth areas, it is important for state agencies and departments to make the provision of technical assistance a priority. It is especially critical that the NJDEP prioritize review and make available on an expedited basis technical assistance needed to expedite wastewater system permitting where state standards and rules are achieved in designated centers and smart growth areas because such systems are a precursor for development.*

**Issue # 4** - Schools must be included under infrastructure to maintain positive development throughout the state. The State must realize that school must be treated in many ways the same as roads and utilities.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - “Statewide Policy #4- Infrastructure Investments” p25

**County Recommendation** - An adequate school system should be created while the municipality is growing, not after the municipality has outgrown its school system. This requires additional State investment especially in areas designated by State mandate for economic growth and residential growth i.e. Casino Gaming and Pinelands Growth Areas that Atlantic County municipalities must deal with. Rethinking school funding is the only way the State can adequately address the ratables chase and reduce over dependence on municipal property tax.

**Recommendation made by** - Atlantic County

**Response: AGREE**

*If we include a discussion of this issue in the State Plan, we should consider adding the following: “There is widespread recognition that reliance on local property tax has led to local land use decisions that favor industrial and commercial development over residential development because residential development can lead to the need for additional taxes to pay for the education of school-age children. School budgets represent a high and disproportionate percentage of local property tax and are often cited by local residents as a reason to stop new residential development, which, in*

*turn, gains the backing of their local officials. Various groups have offered alternatives to the local property and there is a growing awareness that action must be taken to establish a fair and equitable tax system that does not rely so heavily on local property taxes. Clearly, it is consistent with the State Plan that alternatives to the local property tax be implemented because they will reduce the often exclusive focus on “chasing after” commercial development and promote more rational planning.”*

**Issue # 5** - Local conflict with state infrastructure priorities and with allowable density in rural areas.

**State Plan Citation (Existing)** - Infrastructure Investments, p.119

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Mansfield plans for growth in the HMUA sewer service area. However, investments by the State and NJDEP regulatory actions do not support the growth in the HMUA sewer service area. The SDRP does not recognize market forces as it claims in the key concepts because the plan would rather see much lower density development than what is allowed in the rural areas.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*The State Plan does recognize market forces but works to channel them into better planning. In addition, the State Plan policy map is informed by sewer service areas in most of the State and will be revised where major mismatches between Planning Areas and sewer service are found.*

**Issue # 6** - Assure consistency among wastewater management plans (WWMPs), the State Plan and endorsed plans. Expand on explanation and goal of Infrastructure Investment and Sanitary Sewer Systems.

**State Plan Citation (Existing)** - Infrastructure Investment and Sanitary Sewer Systems subpolicy 26 (Page 123)

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Proposed New Policies Prioritize Resources for Sanitary Sewer Assessments and Investments in Targeted Growth Areas - Establish a working partnership among wastewater management and planning entities, sanitary sewer authorities, municipal, county and regional governments and the private development community to strengthen the linkages between wastewater management and land use planning and investment decisions. Target resources for the assessment and identification of sanitary sewer condition, capacity and needs in smart growth areas of the State (Planning Areas, 1, 2, Centers, Redevelopment Areas). Prioritize public and private infrastructure investments for system maintenance, repair, replacement and expansion within smart growth areas.

**Recommendation made by** - Somerset County

**Response: AGREE**

*We recommend that the following be added to the State Plan: In developing priorities for state resource allocations the state will take into account the assessment and identification of sanitary sewer conditions, capacity and needs in smart growth areas. Sewer service capacity should be taken into account in the same way that other infrastructure and environmental carrying capacities should be taken into account.*

**Issue # 7** - New Policy, Safe Routes to School

**State Plan Citation (Existing) - N/A**

**State Plan Citation (Preliminary) –** Section Four: Changes to the Content of the “Statewide Goals, Strategies, and Policies” Page 26

**County Recommendation -** Modify the last statement to promote traffic calming but not for the reasons cited. Traffic calming neither reduces neither traffic congestion nor pollution, but increases them in favor of pedestrian, bicycle and vehicular safety.

**Recommendation made by -** Burlington County

**Response: AGREE**

*The words “traffic-calming” should simply be eliminated not only because traffic-calming does not, by itself, reduce traffic congestion, but because it is a specific traffic technique that does not have to be cited in a policy discussion.*

**Issue # 8 -** New Policy, School Facility Infrastructure Costs

**State Plan Citation (Existing) - N/A**

**State Plan Citation (Preliminary) -** Section Four: Changes to the Content of the “Statewide Goals, Strategies, and Policies” Page 26

**County Recommendation -** New Policy, "Integrated Plans, Regulations and Programs." Ensuring that "infrastructure investments and other related programs are consistent with approved school facility plans..." is an amnesty to past and future failures of the New Jersey Department of Education in approving improperly sited and designed school facilities. This policy states that the NJDOE approval of a school facility binds the municipality and county to costly road improvements, as well as imposes costs involved in silencing a neighboring community fire/EMS station, all avoidable had these costs been considered, and not externalized, in siting the school facility at the beginning.

**Recommendation made by -** Burlington County

**Response: DISAGREE**

*For new school construction, the State Plan should actively encourage municipal coordination with local school boards in decision-making regarding school construction consistent with local master plans. For existing schools, the State Plan should recognize that infrastructure to support the use of the school may be needed, however, decisions regarding the state infrastructure should include appropriate smart growth improvements required of the school boards. These smart growth improvements might include neighborhood connectivity enhancements and agreements regarding the location of new schools.*

**Issue # 9 -** Use school construction and rehabilitation to initiate and anchor revitalization efforts. Add new policy to use new/rehab school facilities to anchor revitalization efforts.

**State Plan Citation (Existing) –** Subpolicy 10 Education, p. 131

**State Plan Citation (Preliminary) –** N/A

**County Recommendation -** Use new/rehabilitated school facilities to initiate and anchor revitalization efforts. School facilities should be designed to provide for education as well as other community services.

**Recommendation made by -** Somerset County

**Response: AGREE**

*The expenditure of public funds for public facilities, such as schools, must take into account how those funds could be leveraged to accommodate the needs of the community when those facilities are not used for the specific purpose for which they were intended. The leveraging of public funds*

*for the benefit of the larger community allows for a) an efficient use of resources by reducing the need to expend tax dollars on separate facilities and b) creation of a sense of place that promotes neighborhood and community well-being. Moreover, the use of public facilities for community service helps to establish and/or reinforce an anchor for related development activities within the community.*

**Issue # 10** - Fees and regulations on infrastructure facilities are burdensome and may hinder their ability to perform services and increase capacity.

**State Plan Citation (Existing)** – Statewide Policy 4. Infrastructure Investments, p. 119

**State Plan Citation (Preliminary)** - Statewide Policy 4. Infrastructure Investments, p. 25

**County Recommendation** – With respect to Goal #4 on protecting the environment and Goal #5 on providing public service at reasonable cost, the State Plan needs to recognize that burdensome fees and regulations on facilities that help accomplish these goals may result in facilities that are either not developed and/or not upgraded. For example, recent increases in NJDEP fees and regulatory requirements on recycling facilities act as a hindrance to their development. This may result in facilities that could potentially protect the environment not being built and /or may result in facilities that don't provide public services at reasonable costs. In this situation the State's regulations and fees that are in place to help the environment may have the opposite impact resulting in environmental degradation due to a lack of adequate facilities.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*The State Plan provides a policy framework for regulatory decisions. It is not a regulatory document itself, nor is it a document to determine fees as a result of regulations. Notwithstanding this fact, regulatory structures should reflect the goal of constructing appropriate necessary facilities in sites that have the capacity and freedom from environmental constraints to support them.*

**Issue # 11** - State Plan infringing on municipal authorities' ability to perform basic functions.

**State Plan Citation (Existing)** – Statewide Policy 4. Infrastructure Investments, p. 119

**State Plan Citation (Preliminary)** - Statewide Policy 4. Infrastructure Investments, p. 25

**County Recommendation** – Morris County Municipal Utilities Authority objects to any infringement through the State Plan on its ability to operate, maintain and expand its water production and transmission facilities. It contends that the operation and resource development goals of a utility are not threats to the State Plan; rather, they are critical components of sound planning and development within the Plan.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*There is no doubt that the operation and resource development goals of municipal utilities are critical components of sound planning which is precisely why it is correspondingly critical that municipal utilities--or ANY similar entity responsible for the provision of infrastructure that impacts the location and intensity of growth--be considered within the State Plan as a decision-making framework to advance smart growth by directing and shaping how our state develops.*

**Issue # 12** - Issues with State Plan regulating water supply development and denial of supplier access to watersheds.

**State Plan Citation (Existing)** – Statewide Policy 4. Infrastructure Investments, p. 119

**State Plan Citation (Preliminary)** - Statewide Policy 4. Infrastructure Investments, p. 25

**County Recommendation** – Morris County Municipal Utilities Authority is concerned that the State Plan criteria will be extrapolated to regulate water supply development and infrastructure improvements within the various planning areas as if it was commercial development. Also, under the semblance of watershed protection, a water purveyor will be denied access to the resource that the plan is protecting. Development of water supply resources and facility improvements should be exempted in the entirety from the scope of the State Plan, as these activities are already regulated by the NJDEP.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*The responsibility of state (i.e. NJDEP) or local agencies to promulgate and carryout regulatory actions is not a reason to exempt policy and planning subject matters from discussion in the State Plan. The intent of the State Plan is to provide an overarching and statewide policy and planning framework to guide various state agencies in the carrying out of their duties and responsibilities.*

**Issue # 13** - "Fast Track" Legislation

**State Plan Citation (Existing)** – Infrastructure Investments, p. 122

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Several participants note that the State lacks the resources to carry out provisions of the fast track legislation. Some are not concerned, since they lack any smart growth areas in which the legislation's provisions apply. Others within PA 2 areas are anxious about implementation of the bill. Under Infrastructure Investments, the 2001 State Plan contains a statewide policy calling for fast tracking projects in centers by moving those applications ahead of others but not in the manner of the provisions adopted in the fast track act (p. 122). The State needs to reconsider the fast track legislation in terms of permitting provisions to ensure that projects are still given needed environmental scrutiny.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*"Fast track" legislation is not a part of the State Plan. The recommendations and goals of the State Plan that seek to direct growth to areas where infrastructure and resource capacity can support development does not include avoiding appropriate environmental scrutiny of proposed projects. Adequately protecting resources, including resources in areas designated as favored for growth, is a goal of the State Plan and should be reflected in rules and regulations that support that policy.*

**Issue # 14** - What are the sources of funding to implement safe routes to schools policy.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – School Facility Planning and Design, Safe Routes to Schools, p. 26

**County Recommendation** – Joint municipal and Board of Education funding.

**Recommendation made by:** Sussex County

**Response: AGREE**

*The focus for implementing a "safe routes to schools" policy is at the decision-making level closest to those impacted by the policy, which is at the municipal and local school board level. To the extent that state or other resources are available to assist in advancing a safe routes policy, they should be offered. Joint comprehensive planning between school boards and municipal planning*

*officials early-on in the determination of school locations will go a long way to insuring the establishment of a development pattern, including walking paths, that create safe school routes.*

**Issue # 15** - What means are proposed to integrate planning between private (particularly religious) and public schools?

**State Plan Citation (Existing)** – Statewide Policy #5-Economic Development - Policy #1 (page 125) and Statewide Policy #2-Comprehensive Planning -Policy #20 (page 113)

**State Plan Citation (Preliminary)** – Coordination of Planning Efforts (page 26); New Policy #\_\_ : Inter-jurisdictional and Regional Planning and Coordination (based upon Economic Development policy #1 and Comprehensive Planning Policy #20)

**County Recommendation** – Must consider vast difference in construction/space requirements.

**Recommendation made by:** Sussex County

**Response: AGREE**

*We agree that better coordination between private and public organizations is vital to improving the quality of life in the State of New Jersey. We are endeavoring to add this to the Plan in policies and / or other sections.*

**Issue # 16** – Addition of infrastructure investment policy related to renovation of existing schools to promote community

**State Plan Citation (Existing)** – Infrastructure Investments, p. 119

**State Plan Citation (Preliminary)** – New Policy, p. 25

**County Recommendation** –many community groups already use most public schools. Sussex Questions the objective of adding the new policy.

**Recommendation made by:** Sussex County

**Response: DISAGREE**

*The fact that there are communities where school officials allow community groups to use school facilities simply underscores the fact that such “joint-use” is working. It is important to promote the expansion of the concept to other towns where it has not been considered and/or rejected to assist those towns in adopting policies that enhance efficiencies and promote community well-being.*

**Issue # 17** – Residential Site Improvement Standards (RSIS)

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Parking has become a scarce commodity in many parts of Hudson County reducing the quality of life for many of its residents and often negatively affecting redevelopment areas. It is recommended that the State Plan promote higher percentage of parking space requirements for future developments. Additionally, the RSIS should be revised to create an urban standard for residential developments.

**Recommendation made by:** Hudson County

**Response: DISAGREE**

*While we can appreciate the scarcity of parking spaces in Hudson County it is important to point out the density of development in the county creates opportunities for the comprehensive public transit system that is in place in the county. The intensity of development combined with the mixed-use nature of many neighborhoods also allows for the opportunity to walk or bike to many nearby destinations. Increasing the parking requirements is generally incompatible with the desire to*

*maintain an urban environment that is not “over-run” by the automobile as people are induced to drive on local streets as a result of an increase in parking spaces.*

#### **E. Statewide Policy # 5 - ECONOMIC DEVELOPMENT**

**Issue # 1** - The State Plan should declare the Metropolitan Planning Area the most important to sustain/restore economic growth.

**State Plan Citation (Existing)** – Statewide Policy 5 Economic Development, Economic Targeting, Policy 10, p. 127.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – This Policy should specifically identify the Metropolitan Planning Area for priority economic targeting; “Identify and target for appropriate public policy support those economic sectors with the greatest growth potential and public benefit, *particularly the Metropolitan Planning Area*, with special attention to those areas where unemployment is high.”

**Recommendation made by** - Essex County

**Response: DISAGREE**

*The State Plan is replete with policies that call for focusing attention in terms of growth, development, and improvements of various kinds within existing urban areas where there are opportunities, and challenges, to foster smart growth. The State Plan’s policy and planning focus is clear regarding urban areas, notwithstanding the need to also deal with needs that exist throughout the state.*

**Issue # 2** - The State Plan should target redeveloping communities as critical areas that need investment in human capital and supporting resources to facilitate career-oriented planning.

**State Plan Citation (Existing)** –Statewide Policy 5 Economic Development, Policy 11 Work Force Readiness, p. 127.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – This policy should be clarified to indicate that investment in human capital and supporting resources to facilitate career-oriented planning should have priority in redeveloping communities.

**Recommendation made by** - Essex County

**Response: AGREE**

*Current State Plan policies on Economic Development promotes and encourages economic investment, livable communities, an educated workforce and attractive places to live and work*

**Issue # 3** – Community-based Economic Development

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Statewide Policy #5 Economic Development, New Policy p. 27

**County Recommendation** – Mixed-use facilities are strong promoters of economic development, however attempting to use the mix-use concept as the exclusive model for all economic development discourages those who prefer suburban or rural lifestyles.

**Recommendation made by** - Atlantic County

**Response: DISAGREE**

*Mixed-use development is not the “exclusive model” in New Jersey. It is one particularly effective alternative model for development. It is clear that mixed use development is not seen as the answer for areas of the state.*

**Issue # 4 - Economic**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should promote Land Value Taxation or Site Value Taxation proposal, which would permit municipalities to replace the single property tax rate system with a site valuation system for local tax purposes. In other words, the proposal would have shifted the property taxes away from buildings to land assessments by taxing land at a higher percentage. This would encourage construction and in-fill development by enacting tax abatements across the board. Conversely, it would discourage land banking in cities by developers and property owners. The Land Value Taxation proposal could be a determining factor stopping sprawl and curtailing the great ratable chase. A two-tiered system should be analyzed to allow metropolitan communities to use the Land Value Taxation methodology to encourage growth and in-fill development in urban and existing suburban communities. Municipalities in rural or environmentally sensitive areas could take an opposite approach and tax buildings/improvements at a greater rate than uncleared land, thus encouraging conservation.

**Recommendation made by** - Hudson County

**Response: AGREE**

*Land Value Taxation should be explored, as it has proven useful in other states to be an excellent taxation method to discourage land banking and reduce the ratable chase.*

**Issue # 5** - New policy concerning economic development appears to limit promotion of job opportunities in rural communities with limited infrastructure

**State Plan Citation (Existing)** - Section 4 – Changes to the Content of the Statewide Goals, Strategies and Equity

**State Plan Citation (Preliminary)** - Statewide Policy #5 Economic Development (p 27)

**County Recommendation** – Revise policy to reflect the need for job opportunities in rural communities, which lack transportation and other infrastructure.

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*State policy regarding job opportunities in rural areas should take into account the needs of local residents, however, as a first priority, jobs in locations with existing infrastructure that require little or no enhancements is one goals of the State Plan.*

**Issue # 6** - Statewide Policy #5 in reference to Community-based Economic Development

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section Four: Changes to the Content of the “Statewide Goals, Strategies, and Policies” Page 27

**County Recommendation** - New Policy, "Community-based Economic Development." Add, "and that are not, due to noise, traffic or dependence on rail lines, water bodies or other specific site requirements, more appropriately located outside of mixed-use and residential areas."

**Recommendation made by** - Burlington County **AGREE**



*A change will be made to add “while respecting the impacts of the development on current and future residents and the environment in municipalities”*

**F. Statewide Policy # 6 - URBAN REVITALIZATION**

**Issue # 1** - Regional Contribution Agreements pursuant to the COAH Rules exacerbate the concentration of low-and moderate-income households in distressed municipalities.

**State Plan Citation (Existing)** – Statewide Policy 6, Policy 31, p. 135

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The RCA provision of the COAH Substantive Rules that allows the transfer of up to 50% of a municipality’s Affordable Housing obligation to another jurisdiction is inconsistent with SDRP Policy 31 - "Reverse the trend toward large concentrations of low-income households in municipalities experiencing distress, including those disproportionately occupied by racial minorities, by creating and affirmatively marketing low-income housing opportunities in less distressed neighborhoods and communities, while selectively demolishing vacant, obsolete housing for parks, community gardens r housing expansion, and development of market rate housing." COAH’s rules would have to be modified so that RCA transfers to communities with proportions of low-income minority populations that exceed the regional average would not be permitted in order to be consistent with this SDRP Policy.

**Recommendation made by** - Somerset County

**Response: AGREE**

*Municipalities have a broad range of options available to meet their affordable housing obligations in a manner that is consistent with the character of the community. Additionally, pro-actively trying to meet affordable housing goals should be an integral part of local planning. Meeting that obligation within the community should be a primary aim of the municipalities. RCA’s should be available only if a municipality demonstrates that it cannot adequately provide for affordable housing options within the community.*

**Issue # 2** - Concerning urban revitalization, County agrees with intent of policy, which is vital to two of the County’s three urban areas, but the policy is ineffective without funding

**State Plan Citation (Existing)** - Policy #6 - Urban Revitalization (p 129)

**State Plan Citation (Preliminary)** - New Policy “Urban Waterfront Redevelopment”, p. 27

**County Recommendation** - Policies should reflect the ability of the State to capitalize them

**Recommendation made by** – Cumberland County

**Response: AGREE**

*State Plan policy and planning focus to revitalize urban waterfronts is intended to result in the targeting and expediting of permits and related decisions, technical resources and, yes, financial resources--which could include a combination of state, local and private sector funds. A concerted and consistent high priority effort by all parties will go a long way to achieving revitalization along our urban waterfronts, and, if unsuccessful, could point to the need for “more funding” in the future.*

**Issue # 3** - Rural elderly are in need of day care facilities as much as in need of senior housing

**State Plan Citation (Existing)** – Statewide Policy 6 Urban Revitalization Policy 26. Neighborhood Service Centers, p. 13

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Supplement policy with addition of verbiage promoting senior care facilities, which allow elderly to continue living at home with appropriate day care services in their communities.

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*The provision of day care facilities for the elderly to allow the elderly to continue to live at home is one possible response to the very real situation faced by our senior population. The state is willing to assist localities to determine the most appropriate response based on local needs and circumstances rather than pre-judging a specific approach on a statewide level.*

**Issue # 4** - State Plan should encourage revitalizing partnerships with the private sector and should expand policies to attract investment in urban centers.

**State Plan Citation (Existing)** – Statewide Policy 6. Urban Revitalization, p. 129

**State Plan Citation (Preliminary)** - Statewide Policy 6. Urban Revitalization, p. 27

**County Recommendation** – State Plan goals and policies should target reinvestment and encourage redevelopment in the State’s urban centers. State agencies should develop partnerships with the private sector to encourage redevelopment in the State’s urban centers and the State should develop state funding mechanisms, similar to open space and farmland preservation funding programs, to catalyze private sector reinvestment in the urban center. Special policies should be developed to direct funding toward improving essential services, such as adequate police, fire, emergency and educational services, and to fund infrastructure improvements needed to support the redevelopment of existing neighborhoods and the development of new neighborhoods in the cities. The goal should be to measurably improve the quality of life in urban areas to provide NJ’s citizens with a realistic living alternative and lifestyle choice to sprawl development in areas of the State that are remotely situated relative to employment centers.

**Recommendation made by** - Morris County

**Response: AGREE**

*The State Plan encourages public/private partnerships. Encouraging partnerships with the private sector is essential not only to leverage public/private sector funding sources, but to increase joint and coordinated decision-making and pre-planning activities which is a critical ingredient to the successful and sustained launch of any reinvestment activity, especially in urban centers.*

**Issue # 5** – Waterfront Development

**State Plan Citation (Existing)** – Statewide Policy #6-Urban Revitalization Policy - Under Subheading: Revitalization and the Environment (page 136)

**State Plan Citation (Preliminary)** – Statewide Policy #6, New Policy Urban Waterfront Redevelopment, p. 27

**County Recommendation** – Urban Waterfront Redevelopment must factor in the need to retain marine installations as well as multimodal transportation and distribution facilities.

**Recommendation made by:** Sussex County

**Response: AGREE**

*Urban waterfront redevelopment is often thought of in terms of the creation of high-end residential and mixed-use development to take advantage of the water resource, open area and views. However, urban waterfront redevelopment alternatives must not exclude the potential need for a variety of other uses based on the particular local circumstances and conditions. Uses that could also be appropriate include marine and distribution facilities to name a few.*

**Issue # 6** – Encouraging bike/pedestrian usage.

**State Plan Citation (Existing Plan)** – Policy 22, Transportation Improvements, p134

Promote transportation improvements to further revitalization, maximizing opportunities for affordable and convenient access to public transportation services both within revitalizing communities and between revitalizing communities and the larger region, and building upon economic and housing redevelopment potential. Locate intercept parking facilities at the edge of town, with reliable transit links into downtown and to major attractions. Page 134

**County Recommendation** – Encourage greater use of bike and pedestrian facilities: Enhance the usage, and improve the safety of bike and pedestrian mobility improvements through appropriate design, lighting and construction materials, and by locating these facilities to efficiently link residents and workers with transit services and destination areas.

**Recommendation made by:** Somerset County

**Response: AGREE**

*The above county recommendation is consistent with the State Plan policy on transportation improvements and is a further refinement of it.*

### **G. Statewide Policy # 7 - HOUSING**

**Issue # 1** – Growth Share Models

**State Plan Citation (Existing)** –Policy 27, Coordination with COAH, p. 139

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – If COAH plans to use a growth share model why are population and employment projections for 2025 critical to determine a municipality's affordable housing requirement? Why not use the growth share model alone. If population and employment projections must be used to determine affordable housing goals, we think that a much shorter time horizon should be used. This will enable the projections to be up-dated to accommodate new trends. We are updating the State Plan every six years and as such, a 10-year horizon for population and employment projects should meet immediate and short term needs, with the ability to revise projection in subsequent Cross Acceptance Rounds, as necessary.

**Recommendation made by** - Bergen County, Monmouth County

**Response: AGREE**

*Although the SPC has no control over COAH rules, the Office is exploring ways to improving the linkage between the State Plan, the projections generation cycle and COAH obligation cycle so the affordable housing obligations generated under the COAH rules accurately reflect the actual growth a municipality experiences or reasonably projects.,*

**Issue # 2** - COAH

**State Plan Citation (Existing)** - New Jersey Council on Affordable Housing, p. 279

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The burden of supplying low and moderate-income housing should not fall only on areas designated for development but also areas in the environs to provide their fair share.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*Good planning can facilitate the provision of affordable housing with minimal impact to local budgets and infrastructure capacity requirements..*

**Issue # 3** - Encourage innovative partnerships to create affordable housing. Expand partnerships beyond not for profits.

**State Plan Citation (Existing)** - Goal #6 and Statewide Policy #7, Housing

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Lower land costs sufficiently so that the Municipalities can partner with a developer to provide affordable housing. Funding, tax, or other cost-lowering incentives are desirable. Also, encourage partnerships between the nonprofit, private and public sectors; as well as among multiple jurisdictions, to promote the construction of affordable housing units.

**Recommendation made by** - Middlesex County, Somerset County

**Response: AGREE**

*The high cost to supply housing and the resulting high cost for homeowners and tenants to afford housing is a critical deterrent for residing in New Jersey for many individuals and families. It is in the state, local and private sector interest to explore and advance methods to keep housing costs affordable. To that end, partnerships with non-profits, tax incentives, efficient building practices and other similar activities are encouraged and should be promoted throughout the state.*

**Issue # 4** – Housing- Relationship with COAH

**State Plan Citation (Preliminary)** - Relationship with COAH, p. 10

**State Plan Citation (Existing)** - Policy 27, page 139. Coordination with the NJ COAH

**County Recommendation** - Hudson County officials understand the need for affordable housing. However, local officials are extremely concerned about COAH's new rules and their impacts on urban municipalities. County and municipal officials are fearful that the new growth share model will have a chilling affect on future developments. Perhaps development projects in urban aid municipalities, urban enterprise zones or redevelopment areas should be excluded from the fair share formula. How do COAH's new regulations affect affordable housing allotment in urban areas (PA1)? How will the growth share model affect employment redevelopment zones? How will the growth share model work in conjunction with the State Plan's population and employment projections?

**Recommendation made by** - Hudson County

**Response: DISAGREE**

*Good planning can facilitate the provision of affordable housing with minimal impact to local budgets and infrastructure capacity requirements.*

**Issue # 5** - On a case-by-case basis, affordable housing obligation may need to be reduced to assure project viability.

**State Plan Citation (Existing)** – Statewide Policy 6, Policy 31, p.135

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Special consideration should be given to adopted redevelopment areas and brownfields sites with regard to the application of the COAH's new growth share affordable housing requirements. Most redevelopment activity involves additional site preparation costs that must be absorbed by the private sector, such as the repair and upgrade infrastructure and clean up of contamination. These costs often do not apply to greenfield development. If redevelopment projects must also address affordable housing obligations pursuant to COAH requirements, their economic viability can be significantly undermined. It may be appropriate for the affordable housing obligation associated with redevelopment in PAs 1, 2 and Centers be reduced to assure

project viability. Reductions should be determined on a case-by-case basis. It is important that State planning, policy, regulatory and investment decisions ensure that redevelopment projects, so critical to community revitalization, move forward in an expedited way. It is also important that redevelopment areas be made more economically competitive with greenfield development sites, in order to attract growth to PAs 1, 2 and Centers where the majority of our redevelopment sites are located.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*The growth share methodology is designed to integrate the costs of providing affordable housing*

**Issue # 6** - More affordable farm labor housing is needed

**State Plan Citation (Existing)** – Statewide Policy 7. Housing, p. 136

**State Plan Citation (Preliminary)**- Statewide Policy 7. Housing, p. 27

**County Recommendation** – Affordable housing policies - Sufficient farm labor housing resources are needed in the rural and environmentally sensitive planning area to accommodate farm labor housing needs, irrespective of whether housing resources are located in centers or on the farm. Sufficient farm labor housing resources will help maintain the economic viability of agricultural operations and help protect public investments and productivity of agricultural areas that have been preserved through taxpayer funded farmland preservation.

**Recommendation made by** - Morris County

**Response: AGREE**

*Affordable farm labor housing is a major issue in areas of the state where active agriculture is a major land use. The ability of municipalities to make provisions for affordable agricultural labor housing as part of their overall affordable housing plan will reflect the reality and the correlation of housing needs generated by local employment opportunities and provide housing opportunities for and under recognized and under served segment of the population in these areas.*

## **H. Statewide Policy # 8 - TRANSPORTATION**

**Issue # 1** – Transportation

**State Plan Citation (Existing)** - Statewide policy #8- Transportation, p. 140

**State Plan Citation (Preliminary)** - State Planning Goals and Statewide policy #8- Transportation- Revised Policy #28

**County Recommendation** - Substantive incentives are needed to create improvements in mass transit/public transportation within the most densely populated areas in the State and encourage transit oriented development and multipurpose transportation planning.

**Recommendation made by** - Middlesex County

**Response: AGREE**

*Although the State Plan is a guide and not a funding mechanism, locating development in close proximity to public transit can lead to smart growth because it can result in encouraging transit usage and trips on foot or by biking and reduce vehicular trip-making. It can also encourage more intense, mixed-uses and can lead to conservation of open space. It is in the state and local interest, therefore, to provide appropriate incentives to encourage and foster transit oriented development.*

**Issue # 2** - Regional Transportation Planning

**State Plan Citation (Existing)** – Statewide Policy #8 – Transportation (page 140)

**State Plan Citation (Preliminary)** - Statewide Policy #8 – Transportation (page 27)

**County Recommendation** – This should make specific recommendations on formation of a tri-state (NY, NJ, PA) comprehensive, integrated transportation plan and implementation strategy.

**Recommendation made by:** Sussex County

**Response:** AGREE

*Agree that the formation of a tri-state integrated transportation strategy should be explored by the NJTPA, DVRPC, NJDOT, NJTransit and OSG to determine if a) existing bi-state planning and institutional arrangements are sufficient, and b) there is a sufficient current integrated strategy.*

**Issue # 3 - Transportation**

**State Plan Citation (Existing)** - Statewide Policy #8, Transportation

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Recommends that studies, technical assistance, and transportation grants to local communities addressing transportation issues become part of the State Plan's proposals to reduce transportation problems.

**Recommendation made by** - Middlesex County

**Response:** AGREE

*When possible, Smart Future grants are available to those localities willing to integrate land use planning as part of those transportation study efforts.*

**Issue # 4 – Transportation**

**State Plan Citation (Existing)** - Statewide Policies #8 Transportation, #10 Air resources and #11 Water Resources

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Balancing traffic management and environmental preservation. Specifically, wetlands preclude routes that would substantially reduce miles traveled, fuel consumption, and air pollution.

**Recommendation made by** - Middlesex County

**Response:** DISAGREE

*VTM management has more to do with smart growth planning and development than it does with seeming environmental “constraints.”*

**Issue # 5 - Transportation**

**State Plan Citation (Existing)** - Policy 23, page 143. Goods Movement

**State Plan Citation (Preliminary)** - Policy 23, page 27. Goods Movement

**County Recommendation** - Improved Freight Planning and Access; The State Plan should recognize the contribution of port commerce to the State economy and promote ways to site warehousing and distribution centers close to the ports and inter-modal facilities.

**Recommendation made by** - Hudson County

**Response:** AGREE

*The Preliminary Plan addresses this issue with a revised policy #23 regarding Goods Movement; see page 27.*

**Issue # 6 – Transportation Enhancement Districts**

**State Plan Citation (Existing)** - Transportation subpolicy #17, p. 143

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should endorse legislation allowing for the creation of Transportation Enhancement Districts as proposed in bills A-954 and S-1483. A report by the state intergovernmental task force a couple of years ago endorsed the repeal of the transportation development district statute in favor of the establishment of enhancement districts. The critical difference between the two policies being that TDDs could only assess future developments for transportation improvements, while TEDs would be allowed to assess all developments. Furthermore, the TEDs promote intergovernmental cooperation and planning by requiring the involvement and affirmative approval of municipalities, counties and the Commissioner of the New Jersey Department of Transportation.

**Recommendation made by** - Hudson County

**Response: DISAGREE**

*The State Plan is a guide, not a tool for promoting specific legislation.*

**Issue # 7** - Expand the reasons for walking and biking - health, revitalize neighborhoods, etc.

**State Plan Citation (Existing)** – Statewide Policy #8, p. 140

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Encourage walking and biking as healthy alternatives to driving, and use pedestrian and bikeway facility investments to enhance and revitalize neighborhoods. Prepare and implement bicycle and pedestrian plans. Emphasize the inclusion of well-designed, safe bicycle and pedestrian linkages within and among neighborhoods, commercial/employment centers and open space areas. Provide increased travel options for people who may not have the ability to own/drive automobiles, such as teenagers and the elderly. Prioritize investment in multimodal transportation options in towns, Centers and urban areas. Add policies that encourage improvements to create and enhance multi-modal connections and support traffic calming and pedestrian safety.

**Recommendation made by** - Somerset County, Hunterdon County, Middlesex County

**Response: AGREE**

*Specific recommendations that enhance transportation and smart growth policies to encourage walkable communities should be included in the State Plan,, as recommended by the above county, because it is they are compatible with the overall direction of the Plan.*

**Issue # 8** – Expand description of Transportation Maintenance and Repair Policy

**State Plan Citation (Existing)** – Policy 1. Transportation Maintenance and Repair, p. 140

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The maintenance and repair of the existing transportation network is the highest transportation priority. In addition, capacity expansion of the transportation system is supported particularly for substandard facilities where safety enhancements will result. The implementation of new technologies that will make the existing transportation system safer; more efficient; address growing travel demand; and provide more transportation options is encouraged.

**Recommendation made by** - Somerset County

**Response: AGREE**

*The above recommendation is compatible with the State Plan, which promotes the maintenance and repair of the existing network.*

**Issue # 9** - Concerning water-oriented transportation - dredging for access to upstream communities

**State Plan Citation (Existing)** - Statewide Policy 8. Transportation Subpolicies - 2 -Public Trans Priorities (p 140) subpolicy 13 -Mobility and Access (p 142) subpolicy 15 Provision of Public Transportation Services (p 142) subpolicy 20 Trans. Planning as a Redevelopment and Development Tool (p 143) subpolicy 21 Labor Markets (p 143) subpolicy 22 Recreational and Tourism Travel subpolicy 23 Goods Movement (p 143)

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Additions to this policy should include dredging for access besides shipping to include the recreational, fishing and other economic development opportunities.

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*The specific recommendation made is not necessary, since the Transportation Goals and Policies of the State Plan are already linked to recreational, fishing and other economic development opportunities.*

#### **Issue # 10 - Transportation Policies**

**State Plan Citation (Existing)** – Policy 24, Traffic Calming, p. 144

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Protecting community character is an important aspect of traffic calming. Maintaining County's built-in road design like curves, slopes, and narrow road widths will assist in traffic calming. The State Plan Policy should be changed to read as follows - Encourage the use of traffic calming techniques to enhance pedestrian and bicycle circulation, [and], increase public safety and protect community character within compact communities and other locations where local travel and land access are a higher priority than regional travel.

**Recommendation made by** - Hunterdon County, Middlesex County

**Response: AGREE**

*The above county recommendation is compatible with the State Plan which seeks to encourage road design that is consistent with the character and context of the community.*

#### **Issue # 11 - Transportation Systems Management**

**State Plan Citation (Existing)** – Policy 19. Regional and Local Traffic Patterns, p. 143

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Should Policy 19, Regional and Local Traffic Patterns (p. 143 of 2001 State Plan), be changed to read "Separate regional through traffic from local traffic by way of limited access bypass roads when planned to minimize sprawl and adverse impacts on adjacent communities [where] and when alternative circulation patterns using existing and/or proposed roads are not feasible?" There are no strong feelings about changes to the policy. Bypasses are a solution in some cases, but if not planned properly, can generate traffic and negatively impact existing neighborhoods.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*While we agree with the recommendation to separate regional traffic from local traffic, specific alternatives should not be dictated by the State Plan, rather solutions should be sought by considering the context of the area being examined.*

#### **Issue # 12 - Expanding the description of Public Transportation Priorities Policy.**



**State Plan Citation (Existing Plan)** – Policy 2, Public Transportation Priorities, p.140

**State Plan Citation (Preliminary Plan)** – N/A

**County Recommendation** –

Improvements that promote system usage for intra-state trips, especially realizing the potential of the major transfer facilities and connecting the rail and bus systems, to important in-state traffic generators. Improvements that foster mobility within developed [urban] areas; as well as dense suburban areas, and that link neighborhoods with employment centers. For example, intra-city and intra-suburban transit.

**Recommendation made by:** Somerset County

**Response:** AGREE

*The above county recommendation is compatible with State Plan, which seeks to promote transit usage within the state.*

**Issue # 13** - Adding bicycle and pedestrian modes to Policy description.

**State Plan Citation (Existing Plan)** – Policy 4, Integration of Land Use and Transportation Planning, p.140

**County Recommendation** – Establish a working partnership between transportation agencies, municipal, county and regional governments and the private development community to strengthen the linkages between land use planning and transportation planning for all modes of transportation including mass transit, highways, rail, aviation, [bicycle, pedestrian,] passenger ferry service and port facilities.

**Recommendation made by:** Somerset County

**Response:** AGREE

*The above county recommendation is compatible with the State Plan, which seeks to encourage and strengthen the linkage between transportation and land use planning.*

## **I. Statewide Policy # 9 - HISTORIC, CULTURAL AND SCENIC RESOURCES**

**Issue # 1** – Historic and Cultural Resources

**State Plan Citation (Existing)** - Statewide Policy #5, Economic Development, #9 Historic Cultural and Scenic Resources

**State Plan Citation (Preliminary)** - Statewide Policies

**County Recommendation** - Funding to implement cultural and tourism resources; reduction in outside agency impediments.

**Recommendation made by** - Middlesex County

**Response:** DISAGREE

*The State Development and Redevelopment Plan is a planning document that provides guidance to state and local officials, not a budget manual; this is more properly the responsibility of economic development / commerce bodies.*

**Issue # 2** - Concerns with preserving community character and resources as growth occurs.

**State Plan Citation (Existing)** – Statewide Policy 9. Historic, Cultural and Scenic Resources, p. 144

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Both the physical and the cultural limits of a community's ability to absorb growth require greater emphasis from the State. Greater emphasis should be placed on the

protection of historic and cultural assets, particularly in centers. Here, the goal of absorbing regional growth can overwhelm not only physical infrastructure capacities (roads, water, sewers, educational institutions), but also destroy those features which give communities their unique identity. While there may be some ability to absorb growth in centers, it is not absolute and must be accommodated within locally defined limits.

**Recommendation made by** - Morris County

**Response: AGREE**

*The State Plan recognizes that preservation of historic and cultural resources are important as stated in policies x, y, z*

### **Issue # 3 - Historic Preservation**

**State Plan Citation (Existing)** – Statewide Policy 9. Historic, Cultural and Scenic Resources, p. 144

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Recommends that the State develop tax incentives to retain/restore/adaptively reuse buildings and structures of historic and potentially historic significance. Additional strategies and incentives should be developed at the state level to encourage the retention of historic structures.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*Based on the Goals and Policies put forth in the State Plan, State Agencies can create programs to encourage their implementation. While it may appropriate to develop such tax incentives, the development of tax incentives is a legislative matter that is beyond the scope of the State Development and Redevelopment Plan.*

### **Issue # 4 – Historic and Cultural Sites**

**State Plan Citation (Existing)** – p. 144

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should reference the State and National Register of Historic Places in Statewide Policy 9, Historic, Cultural and Scenic Resources, and note that properties listed receive various forms of protection, determined by their listing.

**Recommendation made by** – Mercer County

**Response: AGREE**

*State and National Register of Historic Places Historic Districts and Sites identified on the State and National Registers will be depicted on the State Plan Policy Map.*

### **Issue # 5 - Historic, Cultural and Scenic Resources**

**State Plan Citation (Existing Plan)** - Policy 4, Historic Resources and Development Regulations, p.144

**County Recommendation** - The protection of historic, cultural and scenic resources demands not only planning and effective regulations and codes, but also proper engineering practices. These engineering practices may require unique and "context-sensitive" solutions to roadway design and other infrastructure changes to protect important resources. Policy 4, Historic Resources and Development Regulations (p. 144 of 2001 State Plan) should be changed to read "Protect the character of historic sites, landscapes, structures and areas through comprehensive planning, flexible application of zoning ordinances and engineering practices, construction codes and other

development regulations."

**Recommendation made by:** Hunterdon County

**Response:** DISAGREE

*The State Development and Redevelopment Plan is a planning document that provides guidance to state and local officials, The State Development and Redevelopment Plan is not an engineering "best practices" document.*

#### **J. Statewide Policy # 10 - AIR RESOURCES**

**Issue # 1** - Promote the Transition to Clean, Renewable Energy

**State Plan Citation (Existing)** –Air Resources, page 147.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Promote the Transition to Clean, Renewable Energy - Support the development and use of transportation technologies that use clean and renewable energy sources (other than fossil fuels). Facilitate a transition from traditional fossil fuel powered vehicles to vehicles powered by clean and renewable energy sources in the marketplace.

**Recommendation made by** - Somerset County

**Response:** AGREE

*The SDRP already supports the transition to clean, renewable energy. The heading to Statewide Policy 10 (p. 146 of existing plan) indicates that the plan supports "clean, renewable fuels." Policy #6 under this heading (p. 147) directs that the plan "Promote government policies that support the reduction of acid rain, global warming, ozone depletion, sea level rise and other pollutant transport mechanisms..." the only practical way to achieve these reductions is through a transition to clean, renewable energy, since these problems are largely associated with fossil fuel combustion. A sentence or phrase may be added to Policy #6 to make it clear that reductions in these problems should be achieved at least partially through the use of renewable / alternative fuels.*

#### **K. Statewide Policy # 11 - WATER RESOURCES**

**Issue # 1** - Coordinate regional flood and stormwater management planning initiatives.

**State Plan Citation (Existing)** – Policy 21 Regional Stormwater Management, p.150.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Change Language for Policy 21. Proposed Substitute Language - Coordinate regional flood and stormwater management planning initiatives. Promote the implementation of comprehensive, coordinated, and efficient flood and stormwater management strategies.

**Recommendation made by** - Somerset County

**Response:** AGREE

*The proposed language is from the county recommendation, while similar to the existing language, acceptable. the county's proposed language.*

**Issue # 2** - Need clarification concerning how DEP stormwater management regulations will impact Right to Farm Act; i.e., under which circumstances will the stormwater runoff impact agricultural development needs.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 11, Water Resources, subpolicy 21, Regional Stormwater Management; and subpolicy 26, Agricultural Water Supply, page 150

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Given the concerns detailed above, counties are urging the SPC to develop a “vetting process” to verify the underlying data. At a minimum, the SPC should create a process for County Planning Boards to submit data to correct the environmental overlays as site-specific information becomes available.

**Recommendation made by** - Salem County

**Response: DISAGREE**

*The Cross-acceptance process is already used to review all forms of environmental and land use data.*

**Issue # 3** - Development near the potable water supply.

**State Plan Citation (Preliminary)** - Integrating Land-use Planning and Natural Resource Information, Page 148.

**State Plan Citation (Preliminary)** - 2. Conserve the State’s Natural Resources and Systems

**County Recommendation** - Do we wish to encourage further development-dense development, as implied by its designations as a "growth area" - in an area feeding the potable water supply?

**Recommendation made by** - Bergen County

**Response: DISAGREE**

*Protection of the State’s water supply is of paramount importance in the State Plan. In addition to working with State Agencies and special resource areas coordinating planning, the State Plan contains a number of policies regarding water supply protection. Through Plan Endorsement, municipalities will be required to develop and implement stream corridor and wellhead protection programs.*

**Issue # 4** - Integrate state, regional and local land use and water management planning among

**State Plan Citation (Existing)** – Policy 2 Integration of Water Quality and Land-Use Programs, p. 147

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – As written, it is unclear what is meant by Integrate state, regional and local land use and water management planning among all three jurisdictional levels to avoid surface and ground water degradation due to the cumulative effects of point and non-point source pollution. Additional Proposed Language - Promote coordinated planning among all jurisdictional levels in order to address stormwater quality and quantity/runoff issues as part of a comprehensive water resource management approach in all watersheds

**Recommendation made by** - Somerset County

**Response: AGREE**

*We agree that the proposed additional language will help clarify what is meant within Policy #2. Underlying Policy #2 is the fact that watershed boundaries do not normally coincide with political boundaries, and consequently the protection of water resources requires intergovernmental coordination. The proposed additional language for Policy #2 will make this clear.*

**Issue # 5** - Flood Hazard Areas, Policy 32

**State Plan Citation (Existing)** – Flood Hazard Areas, Page 151

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed Substitute Language - Prevent New Development and Other Activities within Flood Hazard Areas that can Increase Risks for Flood Damage or Injury -

Coordinate the way Flood Hazard Areas are addressed among regional and local master plans, water resource management plans, emergency management plans and greenway and open space plans and resource protection efforts at the federal, state and local levels. Discourage new development and activities within Flood Hazard Areas that can be adversely impacted by flooding.

**Recommendation made by** - Somerset County

**Response:** DISAGREE

*The State Plan already contains comprehensive recommendations to this affect.*

#### **Issue # 6 - Water Resources**

**State Plan Citation (Existing)** - Policy 29, Natural Systems and Nonstructural Methods, Page 151

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The NJDEP should provide municipalities with guidance on appropriate mitigation strategies and techniques. Moreover, the State should be aggressive in providing better mechanisms (possibly including stormwater utility entities, much like sewer utility authorities) to assist municipalities in ensuring proper long-term maintenance of stormwater management facilities. This is especially critical as a result of the new stormwater management rules. Stormwater management approaches will likely include many more and smaller, on-lot facilities – both structural and nonstructural. Homeowners associations may not be equipped or even aware of the numerous on-site facilities (particularly nonstructural facilities) that must be maintained to assure long-term viability.

**Recommendation made by** - Hunterdon County

**Response:** AGREE

*Proper management of stormwater control facilities is a critical local function. However, long-term management of these facilities is beyond the capabilities of small municipalities to manage. Creation of stormwater utilities may a methodology for ensuring proper care and upkeep of these facilities. This recommendation may be beyond the scope of the State Development and Redevelopment Plan to address.*

#### **Issue # 7 – Hazard Negotiating Planning**

**State Plan Citation (Existing)** – Water Resources, Flood Control, p. 157 Statewide Policy 16, Coastal Resources Policy 7, p. 165

**State Plan Citation (Preliminary)** – N/A

**County Recommendation-** The severe storm of July 2004 revealed weaknesses in the way dams and other drainage structures are managed, maintained and repaired in Burlington County and in the state as a whole. The catastrophic damage may have been reduced had local dams not failed. Many dams remain in private ownership with owners unable to pay for proper maintenance or replacement or for damages to downstream property owners in the event of failure. The recommendations of the report, Findings of the Interagency Waterway Infrastructure Improvement Task Force, FEMA-1530 DR NJ (October 2004) including, but not limited to, assistance in preparing local hazard mitigation plans eligible for FEMA approval and funding, should be included in municipal master plans and, as appropriate, in the State Development and Redevelopment Plan and Infrastructure Needs Assessment; and 2. The State Planning Commission should advocate legislation, regulations and appropriations to provide financial assistance or other incentives to implement these recommendations.

**Recommended By** – Burlington County

**Response:** DISAGREE

*While we understand that dam safety is critical in New Jersey, this recommendation falls outside the scope of the State Development and Redevelopment Plan.*

#### **L. Statewide Policy # 12 - OPEN LANDS AND NATURAL SYSTEMS**

**Issue #1** – Open space initiatives in Urban areas

**State Plan Citation (Existing)** – Policy 6 and Policy 7, p.153

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should promote changes to the Green Acres formula to better assist urban areas make Brownfields into Greenfield's.

**Recommended By:** Hudson County

**Response:** DISAGREE

*While we do not recommend specific changes to programs outside of those under the purview of the SPC, balancing development and preservation between urban and rural areas is the heart of the State Plan.*

**Issue # 2** - The Preliminary State Plan should place additional focus on open space and open space linkages in the Metropolitan Planning Area.

**State Plan Citation (Existing)** – State Plan, Metropolitan Planning Area, Policy Objective 5, Natural Resources Conservation, page 191 and Statewide Policy 12 Open Lands and Natural Systems, Policy 1 Open Space and Acquisition Priorities, page 152.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – “Open space linkages” should be added to the last bullet in Policy, therefore stating “parks, plazas, public spaces, and open space linkages in urban areas that enhance community character and support redevelopment efforts.”

**Recommendation made by** - Essex County

**Response:** AGREE

*Linkages are a vital component of local and regional open space plans. Such linkages accomplish several goals – they bolster the integrity of natural ecosystems, they enhance the quality of life in our communities, and they help to control sprawling development by more firmly defining the boundaries of center-based growth.*

**Issue # 3** - Use Environmental Restoration Initiatives to Help Revitalize Communities

**State Plan Citation (Existing)** - Open Lands and Natural Systems, Page 151

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Use Environmental Restoration Initiatives to Help Revitalize Communities - Identify and prioritize resources for planning and implementing environmental restoration initiatives for significantly disturbed areas with unique characteristics such as quarries, industrialized river corridors, vacated flood hazard areas and other areas that have been adversely impacted by development or human activity, and for which a return to natural conditions is appropriate and consistent with the SDRP and endorsed plans. Prioritize environmental restoration initiatives that will remediate environmental equity issues in urban areas. Use environmental restoration to jump-start community revitalization and redevelopment in growth areas.

**Recommendation made by** - Somerset County

**Response:** AGREE

*By restoring disturbed features of the natural environment, places are made more attractive for growth. Attractive, intact features of the natural environment can make a location more enticing and enjoyable as a place to live or work and therefore a feature such as a restored riverfront can serve as an engine of economic growth.*

**Issue # 4** - Expand list of open space acquisition priorities. Add new priorities

**State Plan Citation (Existing)** – Page 152, Open Space Acquisition Priorities

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Funds for the acquisition of open space and farmland retention should be used for the following features (not listed in order of priority) -

- Critical Environmental Sites
- greenbelts that define Centers;
- greenways;
- land containing areas of significant agricultural value, recreation value, scenic value or with environmentally sensitive features;
- land needed to meet existing and future needs for active recreation;
- parks, plazas and public spaces in urban areas that enhance community character and support redevelopment efforts;
- Threatened and Endangered Species Habitat, intact and of appropriate critical mass to sustain the intended species;
- open space lands intended to accommodate stormwater and wetlands mitigation projects pursuant to NJDEP's Stormwater Management and Wetlands Regulations;
- agricultural lands located within adopted local PIG project areas, County and State Agricultural Priority Areas; and
- water-front areas and undeveloped lands adjoining and buffering public water supply sources]

**Recommendation made by** - Somerset County

**Response: AGREE**

*There is merit to using open space / farmland retention funds for all of these objectives. Each one of these objectives serves, in some way, to further the goals of center-based development, environmental protection, and / or farmland preservation.*

**Issue # 5** - Prioritize public open space acquisition investments for active recreation purposes within Planning Areas 1, 2, 3 and Centers and passive recreation investments in PA4, 4B and 5.

**State Plan Citation (Existing)** – 1. Open Space Acquisition Priorities, Page 152

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed New Policy - Use Open Space Acquisition to implement the SDRP - Prioritize public open space acquisition investments for conservation and passive recreation in environmentally sensitive and rural areas of the State. Prioritize public open space acquisition investments for active recreation purposes within Planning Areas 1, 2, 3 and Centers, in areas where environmental constraints are minimal.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*Properties should be acquired based on the characteristics required for each form of open space acquisition, not solely on Planning Areas.*

**Issue # 6** - Policy 30, Public Acquisition of Forest Resources

**State Plan Citation (Existing)** –Policy 30, Public Acquisition of Forest Resources, Page 156

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Change wording of policy - [Encourage the preservation] of forest resources that serve an overriding public purpose for public use and preservation [through public acquisition, conservation easements and other mechanisms.]

**Recommendation made by** - Somerset County

**Response: AGREE**

*It is appropriate to prioritize the public acquisition of resources, so that public funds are first spent on those resources that provide the greatest benefit.*

**Issue # 7** - Maximize water supply protection by preserving riparian areas

**State Plan Citation (Existing)** – Policy 30, Public Acquisition of Forest Resources, p. 156

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed New Policy - Maximize the Water Supply Protection benefits associated with the Preservation of Riparian Areas - Prioritize resources for the preservation and enhancement of riparian forests to maximize their water supply protection benefits consistent with watershed management planning objectives (i.e. the Raritan Basin Commission) and the water supply protection strategies for the Highlands and Pinelands Areas of the State. Utilize conservation easements, stream corridor protection ordinances, best management practices and other strategies in addition to public acquisition to preserve and enhance riparian areas.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*Addressing protection of potable water supplies and environmentally sensitive areas of the state are already goals of the State Plan. The methodologies suggested above are better suited for inclusion in municipal planning strategies that would incorporate elements such as stream corridor protection ordinances, buffer ordinances, forest protection ordinances and targeted open space acquisitions. These are best addressed at the Plan Endorsement level.*

**Issue # 8** - Clustering, Density Transfer, and Transfer of Development Rights

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Clustering, density transfer and TDR are applicable according to the SDRP in Planning Area 4 while silent in Planning Area 5. Land in PA 5 usually limits development potential due to constraints such as poor ground water recharge or unsuitable soils for septic disposal. Landowners should not be given TDR sending credits for land with environmentally sensitive features when they are otherwise undevelopable.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*The purpose of TDR is to compensate landowners for the development rights of their land. As environmentally sensitive features can limit development, it doesn't necessarily preclude development entirely. These credits are used to compensate landowners for surrendering all development rights based upon an accurate assessment of the development potential of the sending parcels.*

**Issue # 9** - Open Lands and Natural Resources

**State Plan Citation (Existing)** – Forested Areas p. 155



**State Plan Citation (Preliminary) – N/A**

**County Recommendation** – The State Plan offers several policies concerning protection and management of forested areas. Today's farmland assessment program provides for reduced taxation on forested lands managed for timber production. Some organizations support legislative change to allow this. Do you feel that the State Plan should include a policy addressing this? Participants suggest that private property owners receive a tax benefit if the lands preserve ecological resources, protect watershed lands or provide other public health/safety benefits. The State's farmland assessment program necessitates timber production on certain qualifying wooded sites to receive the tax reductions offered through the program. Aggressive timber practices can undermine natural resource values of woodlands. Perhaps a benefit could be awarded for forest management planning that favors selective cutting and environmentally based forest stewardship practices.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Taxation must be legislatively mandated. This recommendation falls outside the scope of the State Development and Redevelopment Plan.*

### **M. Statewide Policy # 13 - ENERGY RESOURCES**

**Issue # 1** - Change policy for PA's 3-5 to make available in the PA's BPU Green Energy incentives and rebates in addition to PA's 1 and 2.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 13, Energy Resources, subpolicy 4 Energy-efficient Buildings, page 157

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** Change policy for PA's 3-5 to make available in the PA's BPU Green Energy incentives and rebates in addition to PA's 1 and 2.

**Recommendation made by** - Salem County

**Response: DISAGREE**

*The Green Energy incentive is a BPU rule. However, the incentives are available not only in PA 1 and 2, but also in Centers in PA 3, 4, and 5 and complements the State Plans goals in encouraging good planning.*

**Issue # 2** - Move Toward a Regional Sustainable Energy Framework -

**State Plan Citation (Existing)** – Energy Resources, Page 156

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed New Policy - Move Toward a Regional Sustainable Energy Framework - Encourage the use of clean and renewable energy resources in transportation; production; building heating and cooling systems. Provide economic incentives to promote research, development and production of renewable energy resources and technologies in the State.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*The State Plan already contains a number of policies regarding energy planning, however we may consider modifying one of the existing policies to integrate a sustainable energy framework.*

### **N. Statewide Policy # 14 - WASTE MANAGEMENT, RECYCLING AND BROWNFIELDS**

**Issue # 1 – Brownfield Sites Redevelopment**

**State Plan Citation (Existing)** - Policy 8 - 10, page 159. Priority for Community Brownfield Plans and Policy 3, page 117. Priorities for Capacity Expansion

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should re-double efforts to increase funding for Brownfield's remediation. Inventory of developable lands is extremely limited. The only way to accommodate growth is to rehabilitate and redevelop former industrial land and commercial Sites. Additionally, redevelopment projects in Urban Complex and should be given the highest priority.

**Recommendation made by** - Hudson County

**Response: DISAGREE**

*Policies 8 – 10 (p. 159) already specify that brownfield sites should be a priority for redevelopment. However, the State should consider integrating all disparate brownfields efforts into one office to increase the redevelopment of Brownfields.*

**Issue # 2** - The State Plan should give Brownfield remediation support **high** priority for funding and planning efforts.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 14, Waste Management, Recycling and Brownfields, Brownfields and Contaminated Sites, page 159.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Revise Policy 8 of Statewide Strategy 14, to state, “Give *high* priority for public resources and assistance to communities with Brownfield redevelopment strategies consistent with neighborhood and municipal plans.”

**Recommendation made by** - Essex County

**Response: AGREE**

*Brownfield sites are already a priority.*

**Issue # 3 - Water Quality/Individual and Community On-site Wastewater Treatment Systems**

**State Plan Citation (Existing)** – Water Resources Policy 5, Water Quality/Individual and Community On-site Wastewater Treatment Systems, Page 148

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed Substitute Language - Individual and community on-site wastewater treatment systems should be well-designed and maintained to produce treated effluent suitable for recharging ground water or for assimilation into surface water bodies.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*The existing language captures the intent and mandate of the SDRP in this sphere.*

**Issue # 4 - Reduce the Impacts of Contaminated Sites on Water Supply and Natural Systems**

**State Plan Citation (Existing)** – Statewide Policy 14, Waste Management, Recycling and Brownfields, Page 158

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Reduce the Impacts of Contaminated Sites on Water Supply and Natural Systems - Identify and prioritize the cleanup of brownfield sites that are impacting, or threaten to impact surface and ground water, particularly potable water resources; increase the risk of human exposure to hazardous substances, or have existing or potential health and safety impacts to current and/or future residents and workers. Also prioritize the clean-up brownfields and

contaminated sites that are a threat to natural areas such that their ecological, open space or recreational value; or future development potential may be undermined.

**Recommendation made by** - Somerset County

**Response:** AGREE

*Groundwater is one of the factors in prioritizing the redevelopment of brownfields.*

#### **O. Statewide Policy # 15 - AGRICULTURE**

**Issue # 1** - State needs to add emphasis for providing adequate funding of the preservation of the environs, particularly farmland, open space and environmentally sensitive lands.

**State Plan Citation (Existing)** – State Plan, Statewide Policy 15, subpolicy 1, Agricultural Land Retention Program Priorities, page 160; and Environs, pp 252-254

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** –OSG should continue to provide local technical assistance & information on available programs and techniques for the protection & preservation of the environs.

**Recommendation made by** - Salem County

**Response:** AGREE

*We agree. OSG already provides local technical assistance and information on all available programs and funds for the preservation and protection of the environs. The SDRP also prioritizes those funds needed for agricultural land retention, as seen in Policy #1.*

**Issue # 2** - Policy on Rural Areas without public sewer and water. State Plan attempts to focus growth in compact areas in rural portions of State. But permitting process for small-scale wastewater facilities is vague and costly.

**State Plan Citation (Existing)** - Statewide Policy 15. Agriculture (p159), Goal 8. Ensure Sound and Integrated Planning and Implementation Statewide

**State Plan Citation (Preliminary)** - Statewide Policy 15. Agriculture (p28)

**County Recommendation** - The approval process for small-scale wastewater facilities should be streamlined and limited expansion of previously approved sewerable areas should be authorized when such expansion would enable appropriately planned clusters or development areas to be connected to an existing regional wastewater treatment facility. 2. Accept one-acre residential building lots as the norm. The cost of small-scale facility permits makes it easier to continue with acre lots and individual septic.

**Recommendation made by** - Cape May County

**Response:** DISAGREE

*Interested agencies should investigate alternative wastewater treatment systems to enable the creation of small scale rural centers in areas where existing infrastructure does not exist and where such development is appropriate. Plan Endorsement includes DEP early in the rural Center designation process to insure a more streamlined and rational approach to rural wastewater treatment.*

**Issue # 3** - Policy on Agriculture/State Agency Consistency - DEP is failing to issue water allocation permits where SADC is supporting farmland preservation with improvement grants/loans.

**State Plan Citation (Existing)** - Statewide Policy 15. Agriculture (p159), Policy 3 Coordinated Planning and Policy 6 Agricultural Water Needs; Goal 8 Ensure Sound and Integrated Planning

**State Plan Citation (Preliminary)** - Statewide Policy 15. Agriculture (p28)

**County Recommendation** -There does not appear to be any consideration of the water needs for agriculture by DEP. DEP needs to coordinate with SADC so that water allocation permits are issued to farmers with preserved farmland and/or improvement grants/loans.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*The rule under which allocation permits are issued is not applicable, as the Office of Smart Growth has no regulatory control over local permitting. The issuing of these allocation permits is a DEP rule, not an SPC rule. Consequently, the character of these rules cannot be changed through cross-acceptance or revisions to the SDRP.*

**Issue # 4** - Policy needs to create financial incentives in receiving areas to encourage developers to invest in density transfer-based resources (i.e., TDR)

**State Plan Citation (Existing)** – State Plan, Statewide Policy 15, Agriculture, subpolicy 5 Creative Planning and Design Techniques, page 160

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** –The goals of the plan are to encourage mixed-use development into compact target areas while channeling development away from rural and environmentally sensitive lands. For this regional TDR project to be successful, financial incentives must be established in the receiving areas.

**Recommendation made by** - Salem County

**Response: AGREE**

*We agree appropriate incentives should exist to encourage intermunicipal TDR; however, this recommendation goes beyond the scope of what is being considered in the updating of the SDRP at this time. The issues raised in this recommendation will be further evaluated by OSG and the SPC.*

**Issue # 5** - Agriculture as industry, not just open space

**State Plan Citation (Existing)** - Statewide Policy 15, Agriculture subpolicy 9 Enhancing the Agriculture Industry (p 161)

**State Plan Citation (Preliminary)** – Statewide Policy #15 - Agriculture, p 28

**County Recommendation** - Emphasis in revised policy is tilted too much toward agriculture as open space opportunity.

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*The main goal of the farmland preservation program is not open space preservation, but to maintain the viability of the agricultural industry in the State. Farmland preservation is a powerful tool for overall community planning because when properly used, it controls land use, helps preserve the agricultural industry and retains agriculture as part of the community's character. Farmland Preservation programs should be appropriately coordinated with a community's Open Space Preservation, Recreation and Historic Preservation programs to insure that they are complimentary.*

**Issue # 6** - Agricultural Funding Priorities

**State Plan Citation (Existing)** - Policy 1, Agricultural Land Retention Program Priorities, p.160

**State Plan Citation (Preliminary)** -Statewide Policy 1. Equity (Page 24)

**County Recommendation** – Policy 1 under Statewide Policy for Agriculture should be changed to

give Planning Areas 4 and 4B top priority for farmland preservation funding. The SADC should follow this policy in ranking future farmland preservation applications.

**Recommendation made by** - Hunterdon County

**Response:** AGREE

*Policy 1 should be changed to reflect that the SADC sets priority for farmland retention and preservation. Productive farmland, no matter what Planning Area it is in, is an important State resource. The Sustainable Agriculture and Comprehensive Planning Policy 1 prioritizes agricultural acquisitions based on the Agriculture Smart Growth Plan and the Strategic Targeting Initiative of the SADC.*

**Issue # 7** - Statewide Policy #15, Agriculture

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section Four: Changes to the Content of the “Statewide Goals, Strategies, and Policies” Page 28

**County Recommendation** - Revised Agriculture Policy #3 - Coordinated Planning. Replace, in the last lines, "...better coordination of farmland preservation efforts with open space, recreation, and historic preservation investments" with "...better coordination of farmland preservation efforts with all infrastructure investments, including but not limited to highways, sewer service, storm water management, open space, recreation and historic preservation investments."

**Recommendation made by** - Burlington County

**Response:** AGREE

*The State's Farmland Preservation programs are designed to preserve the agricultural industry and to work as a planning tool to assist a community in reaching its overall goals. All of the public investments cited above should be appropriately coordinated. However, the existence of infrastructure in any area should not preclude preservation of farmland in that same area.*

## **P. Statewide Policy # 16 - COASTAL RESOURCES**

**Issue # 1** - On-Site Wastewater Disposal systems should be prohibited on barrier island communities.

**State Plan Citation (Existing)** - Statewide Goal 2 – Conserve the State Natural Resource Systems; Statewide Policy 4 – Infrastructure Investments; Statewide Policy 16 – Coastal Resources, p. 163

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should encourage that all barrier island communities be serviced by a public wastewater collection and treatment system.

**Recommendation made by** - Cape May County

**Response:** DISAGREE

*A one-size fits all solution is not appropriate, as many of the barrier islands differ in size, structure and character of their environmentally sensitive features.*

**Issue # 2** - Beaches, waterways and the like are infrastructure but they are not recognized as infrastructure.

**State Plan Citation (Existing)** – Coastal Resources, p. 163

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The Plan notes the importance of preservation of the Barrier Islands, but does not outline steps to preserve them or mention funding/programs that can be implemented to ensure proper preservation and beach replenishment. There is little financial assistance in

maintaining the infrastructure that everyone wants to use and enjoy that serves as financial lifeblood to the State. A stable source of funding needs to be established.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*Barrier Islands are an important State resource that are protected through beach replenishment and other resource protection measures.*

**Issue # 3** - Coastal resort communities are under funded. The local tax base is supplying infrastructure and support services for many times the year round needs, resulting in a disproportionate funding method.

**State Plan Citation (Existing)** - Statewide Policy 1. Equity (Page 110)

**State Plan Citation (Preliminary)** - Statewide Policy 1. Equity (Page 24)

**County Recommendation** - State aid needs to be based on the summer population.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*We understand that the summer populations put temporary burdens on coastal municipalities during the summer months. However, many services, for example schools, are not geared towards summer populations and these municipalities receive disproportionately high-incomes during those summer months.*

#### **Q. Statewide Policy # 17 - PLANNING REGIONS ESTABLISHED BY STATUTE**

**Issue # 1** - Economic Development in Pinelands Non-Growth Area

**State Plan Citation (Existing)** – Planning Regions Est. by Statute, p. 167; Comprehensive Planning Policies, Tax Systems and the Ratables Chase Policy 24, p. 115

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - While growth areas have been over burdened by development they at least have some hope of commercial ratables offsetting some of the costs of residential development. The non-growth Pinelands Towns often have the same residential growth problem on a smaller scale. The difference is they have no reasonable expectation of commercial development to help offset those costs. This is another aspect of the over dependence on property tax for funding public infrastructure and operating costs.

**Recommendation made by** - Atlantic County

**Response: DISAGREE**

*This recommendation is beyond the scope of the State Development and Redevelopment Plan.*

**Issue # 2** - Recognition of Growth Areas by Regulatory Agencies - Both Pinelands and CAFRA treat the recognized growth areas under their jurisdiction as if they were pristine preservation areas that are not supposed to have development.

**State Plan Citation (Existing)** - Statewide Policy 4. Infrastructure Investments p119

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - There is no flexibility to advance the development of needed infrastructure to support the mandated growth in these areas. The County and the municipalities are held solely accountable by the citizens to widen roads, improve intersections and provide other quality of life amenities such as the bikeway when there is a clearly compelling need that should allow fast track approvals of these facilities. There needs to be recognition of this by both agencies

and the State in general.

**Recommendation made by** - Atlantic County

**Response: DISAGREE**

*This recommendation falls outside the scope of the State Development and Redevelopment Plan.*

**Issue # 3** - State Plan, Pinelands and CAFRA policies conflict. It appears likely to have conflicts with the new Highlands region as well. Consistency between the Pinelands Comprehensive Management Plan and the State Plan is an ongoing issue.

**State Plan Citation (Existing)** – New Jersey Pinelands, p. 169

**State Plan Citation (Preliminary)**- N/A

**County Recommendation** - There must be closer coordination and integration of these regulations in the SDRP. When examining the consistency of plans through out all levels of government in the State close attention must be paid to the impact that Pinelands, CAFRA, and Highlands have on the ability of local plans to relate with the State Plan.

**Recommendation made by** - Atlantic County, Ocean County

**Response: AGREE**

*As Policy 4 addresses the potential regional impacts of these statute established areas and OSG has been actively working with other agencies to coordinate plans and policies to be consistent with the State Development and Redevelopment Plan.*

**Issue # 4** - Pinelands and State Planning Commissions need to coordinate land use designations on either side of the Pinelands boundary.

**State Plan Citation (Existing)** – 8. Ensure Sound and Integrated Planning and Implementation Statewide (p96). Also Pinelands Policy 2 Intergovernmental Coordination- State and Local (p169)

**State Plan Citation (Preliminary)** – p21

**County Recommendation** - Better coordination between Pinelands and State Planning Commissions.

**Recommendation made by** - Ocean County

**Response: AGREE**

*Areas adjacent to the Pinelands need to be planned with the Pinelands goals and the resources of the region in mind. OSG will work in greater conjunction with the Pinelands Commission so that policies are coordinated and complementary.*

**Issue # 5** - Funding priorities in Highlands Planning area.

**State Plan Citation (Existing)** - 18. Special Resource Areas, The Highlands, p. 172

**State Plan Citation (Preliminary)** - Relationship between the State Planning Commission and the Highlands Council

**County Recommendation** – As discussed in many of the municipal reports and in the Draft County Strategic Plan, the prevalent theme is that local control of land use planning and approval must be retained. In previous cross-acceptance rounds, the concern was that the State Plan was going to usurp local authority. The usurpation of local authority has come instead from the passage of the Highlands Act. The Act mandates that municipalities with land area within the preservation area conform with the preservation plan and standards and that for all intensive purposes the NJDEP and the Highlands Planning Council will have full control over the use of land in the area. Furthermore, when the Highlands Planning Council, which is a 15 member body, nominated by the Governor and confirmed by the Senate develops the Highlands Master Plan, conformance with the preservation

area will be required and in the planning area conformity will be voluntary. Incentives for voluntary acceptance of the plan have been provided in the legislation and will be explored and developed further by the Council. Now the concern is will funding be withheld from municipalities that do not conform to the voluntary aspects of the Highlands Plan. (p. 14)

**Recommendation made by** - Warren County

**Response: DISAGREE**

*Compliance with the Highlands Regional Master Plan for municipalities that fall within the Highlands Planning Area is voluntary. If communities decide to conform to the plan, they will receive priority funding for plan implementation and other benefits specified in the Highlands Act. If municipalities do not decide to conform with the plan, they will continue to be eligible for all state funding programs that are available to communities throughout the state. In addition, Highlands Planning Area municipalities also have the option to seek Plan Endorsement from the State Planning Commission.*

**Issue # 6** - Legality of Highlands regulations overruling local regulations

**State Plan Citation (Existing)** - 18. Special Resource Areas, The Highlands, p. 172

**State Plan Citation (Preliminary)** - Relationship between the State Planning Commission and the Highlands Council

**County Recommendation** – The State plan should address the concept of home rule. The Highlands Act has usurped the existing police powers of municipalities particularly in the Preservation Area.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*The New Jersey legislature passed the Highlands Act and created a structure where municipalities in the Preservation Area are required to update local plans and ordinances to ensure the protection of the important resources in the area. The legislation that established the Highlands Region is consistent with previous planning acts that established existing Special Resource Areas by statute such as the Pinelands and the Hackensack Meadowlands Development District.*

**Issue # 7** - Funding for TDR projects in Highlands Preservation and Planning Areas.

**State Plan Citation (Existing)** - 18. Special Resource Areas, The Highlands, p. 172

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Implementation of the Highlands Act should focus on the benefits of the TDR program. Significant and long-term tangible incentives should be provided for both sending and receiving districts for TDR to allow growth to occur safely and far removed from core preservation areas. Municipalities must not be considered or viewed as losers in the implementation. TDR legislation that is easy to implement is needed. More State funding is needed for planning, economic development, transportation, infrastructure and land preservation impacts.

**Recommendation made by** - Warren County, Morris County, Hunterdon County

**Response: AGREE**

*The Highlands Act includes incentives for Highlands municipalities choosing to implement the voluntary TDR program for the Highlands. The Highlands Council is drafting a comprehensive Regional Master Plan which will include a TDR program. Adequately funded incentives and support for municipalities that engage in proper planning within the Highlands should be a priority.*

**Issue # 8** - Add more information in State Plan regarding the benefits of Highlands legislation.



**State Plan Citation (Existing)** – 18. Special Resource Areas, The Highlands, p. 172

**State Plan Citation (Preliminary)** - N/A

**County Recommendation** – The SDRP should make a definitive statement regarding the widespread state benefits that are enjoyed by the preservation of the Highlands. The Preservation Area may erode the ratable base of municipalities so that others may have a clean and reliable water source. It should be made clear that this legislation involves a municipal sacrifice.

**Recommendation made by** - Warren County

**Response: AGREE**

*The Highlands Council is drafting a comprehensive Regional Master Plan which will include the numerous benefits available to conforming municipalities. The plan will also include a financial component to address the fiscal implications of the plan.*

**Issue # 9** - Highlands Planning and Preservation Areas

**State Plan Citation (Existing)** – Pg. 173 of the State Development and Redevelopment Plan.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Once the Highlands Regional Master Plan is adopted, the State Plan should remove State Plan Policy Map designations of Planning Areas, Centers, Critical Environmental Sites and Historic and Cultural Sites from the Highlands Preservation Area. Instead, it should contain an overlay map of the Preservation Area with features applicable to the Highlands Regional Master Plan. This can follow the same approach as is used for the Pinelands Management Areas. Additionally, the State Plan should consider removing the Highlands from the Special Resource Area designation and placing it (or at least the Preservation Area portion) in the section entitled "Planning Regions Established by Statute."

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*OSG will, in fact, retract the Special Resources Area designation to demonstrate that the Highlands is a "Planning Region Established by Statute" and a Highlands Preservation Area overlay will be created for the State Plan Policy Map when the Highlands Regional Master Plan is completed.*

## **R. Statewide Policy #18 - SPECIAL RESOURCE AREA**

**Issue # 1** - Designate the Sourland Mountains as Special Resource Area

**State Plan Citation (Existing)** – P. 171-2 provides discussion of Special Resource Areas-  
Special Resource Areas

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The Sourland Mountain Natural Resource Inventory demonstrates the unique characteristics and resources of this natural area to the State and region that supports consideration of regional planning efforts. Mercer County supports the proposed Sourlands Special Resource designation.

**Recommendation made by** - Mercer County, Somerset County, Hunterdon County

**Response: AGREE**

*The Sourland Mountain region and its unique resources are currently being studied. A grant from the Office of Smart Growth has been provided for this study. Based on the research supplied by the Sourlands Planning Council, we agree that the Sourlands should be designated a Special Resource Area. However, any determination is ultimately the decision of the State Planning Commission.*

**Issue # 2 - Proposed Millstone Valley SRA****State Plan Citation (Existing)** – N/A**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - A proposal to delineate the multi-jurisdictional, bi-county Millstone Valley as a Special Resource area has been raised during Cross-acceptance. The County Planning Board finds that inadequate documentation; studies and plans are currently available to delineate the extent of the SRA and to substantiate the full environmental and ecological issues affecting the Millstone Valley. The County Planning Board recommends, though, that careful consideration be given to the PSPPM to ensure that the Planning Area Designations are consistent with the long-term objectives and vision for the Millstone Valley. Also, the information being developed for the National By-way Corridor Management Plan, which is now underway, should be incorporated into the Plan Endorsement Process.

**Recommendation made by** - Somerset County**Response: AGREE**

*There is evidence to indicate that the Millstone River Valley is an area or region with unique characteristics or resources of statewide importance. However at this point in time there has not been sufficient information to support a designation for the Millstone Valley as a Special Resource Area. Such a designation is ultimately the decision of the State Planning Commission and consideration should be given, and investigation should be undertaken, to determine if this area should be so designated.*

**S. Statewide Policy #19 - DESIGN**

**Issue # 1** - Walking and bicycling do promote better health, however the State Plan continues to vilify the automobile. While promoting public transportation for areas when it is available and reasonable is important, vilifying motor vehicles is illogical because they are, and will continue to be the only efficient mode of transportation in many parts of the state.

**State Plan Citation (Existing)** – N/A**State Plan Citation (Preliminary)** - Public Health Benefits of Smart Growth Design

**County Recommendation** - While decreasing congestion on roads, reducing air pollution, and promoting the health benefits of walking or bicycling to destinations are all important where applicable, many existing communities are dependent on automobiles where other means of transportation are inefficient.

**Recommendation made by** - Atlantic County, Somerset County**Response: DISAGREE**

*The State Plan does not deny the necessity of accommodating automobile transportation but also promotes alternatives to an auto dominated development pattern.*

**Issue # 2** - Flexibility with design standards in town centers.

**State Plan Citation (Existing)** – Policy 9 Transportation and Context Sensitive Design, p.141, Policy 8, Designating Infrastructure, p. 177

**State Plan Citation (Preliminary)** -

**County Recommendation** – The NJDOT should be flexible in its highway design standards when the highway goes through existing town centers where the land is not readily available to meet the standards when improvements need to be made.

**Recommendation made by** - Warren County

**Response: AGREE**

*Policies 8 and 9 under Statewide Goal 8 already address this issue. Maintaining the historic character of municipalities is positive and wherever possible highway design should account for historic structures and districts.*

**Issue # 3** - Tenor of policy concerning Design is too urban

**State Plan Citation (Existing)** - Policy 19 Design, various subpolicies p 174

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Cumberland County would like to see a Design policy that promotes innovative and healthy design for rural communities

**Recommendation made by** – Cumberland County

**Response: DISAGREE**

*The State Plan recognizes the differences between rural and urban landscapes and the need for context sensitive design.*

**Issue # 4** - Transportation

**State Plan Citation (Existing)** – Design, p. 174

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Encourage sustainable design in the revitalization of communities and stronger linkages in transportation, land use, and redevelopment planning.

**Recommendation made by** - Middlesex County

**Response: AGREE**

*The SDRP should encourage sustainable design when strategizing for the revitalization and redevelopment of communities. The SDRP outlines financial incentives for those plans that strategically locate their revitalization and redevelopment projects adjacent to mass transit.*

**IX. VI. STATE PLAN POLICY MAP**

**Issue #1** – Link State agency datasets to the SPPM and define the relationship between the SPPM, linked datasets and state agency programs and regulations.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Link state agency datasets to the SPPM and define the relationship between the SPPM, linked datasets and state agency programs and regulations.

The relationship between the SPPM that is adopted by the SPC as part of the updated SDRP in 2005 and the SPPM changes to the SPPM that are approved by the SPC during the Plan Endorsement process should be described in the SDRP. It is anticipated that additional changes to the SPPM will be identified during Plan Endorsement, COAH growth share and Highlands Planning processes. These changes should be integrated into the SPPM on an on-going basis, and a current version of the SPPM should be maintained and made available to the public via the OSG's website.

**Recommended By:** Somerset County

**Response: DISAGREE**

*OSG requests further information concerning the 'linkage' concept as the term has many meanings. The plan mapping already is linked to many other GIS files in that they are used as resources in mapping and updating the mapping of the plan. Linking other state agency datasets to the SPPM in*

*a direct way would be very difficult to coordinate given the complexity of the task, each 'linked' file's update cycle and the current level of resources at the Office of Smart Growth.*

**Issue # 2** - The State Plan needs to provide objective standards for delineation of Planning Areas

**State Plan Citation (Existing)** – State Plan Policy Map, Planning Areas p. 186-223

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Delineation criteria for planning areas must be better refined and articulated to reflect the State's diversity of counties and municipalities. Once this has been accomplished it would be more likely that a consistent application of planning areas could be achieved statewide. Definitions of centers are too limited and inflexible to reflect the desirable planning objectives of special purpose centers such as CCRC's.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*The current state plan and a resolution passed by the SPC objective standards for existing planning areas. Each Planning Area is sufficiently defined. They are not intended to be highly specific in order to allow for enough flexibility within each planning area so that its unique requirements can be addressed.*

**Issue # 3** – Declutter the SPPM by removing Critical Environmental Sites (CES).

**State Plan Citation (Existing)** – Critical Environmental Sites, p. 224-227

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Because CES are included on the Policy Map for apparently “informational” purposes, and because the sites are protected by their own regulations, CES should not be included on the Plan Map. Instead, a Second Map should be included in the State Plan that identifies CES and Historic and Cultural Sites (HCS). This Second Map will serve to “clean up” the Policy Map, improving what has become a difficult map to read, and still provide the environmental information critical to responsible planning. CES should be shown overlaying PA1, PA2, and PA3 to promote responsible planning.

**Recommendation made by** – Mercer County, Somerset County

**Response: DISAGREE**

*There is a limited amount of information that can be portrayed on one map at one time. However, computer mapping tools and overlays can add information to a base map. CESs will remain in PA1,2, 3 and DC. Additional information can be made available through overlays. The State Planning Commission made the decision to map CES in the SDRP and does not see the need to create a second map.*

**Issue # 4** – Routinely update the SPPM to reflect sewer service area changes, plan endorsement, preserved land additions, COAH Growth Share, Highlands Preservation Area and parks and open space (PAs 6, 7, 8 and proposed new PA 9).

**State Plan Citation (Existing)** – Updates to the map are not addressed in the Plan.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Keep the Map Current. The map should be regularly updated to reflect changes in approved sewer service areas, additions to the preserved land inventory and changes as a result of Plan Endorsement. Also make updates to changes identified during Plan Endorsement, COAH Growth Share and Highlands Preservation Area.

**Recommendation made by** - Mercer County, Salem County, Somerset County

**Response: AGREE**

*The map is routinely updated based on decisions made by the State Planning Commission during Cross Acceptance and with Plan Endorsement.*

**Issue # 5 - Representation of the Highlands Preservation and Planning Areas on the SPPM**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The Highlands Preservation and Planning Area boundaries should be represented as separate symbols on the SPPM. Somerset County's municipalities that are included within the Highlands Region have reviewed the PSPPM for consistency with the Highlands Preservation Act and some amendments have been proposed so that the Planning Area, CES, HCS and other features delineated on the PSPPM better reflect the intent of the Highlands Planning Act. These municipalities have also evaluated their own land use policies in terms of the new Highlands legislation. Open space and farmland preservation remain a high county and municipal priority in the PA 5 areas within the Highlands. Compact, mixed use, center-based development strategies have been implemented within the majority of the County's Highlands municipalities.

**Recommendation by** – Somerset County

**Response: AGREE**

*The Highlands Preservation and Planning Area boundaries will be mapped as agreed between the State Planning Commission and the Highlands Council.*

### **Parks and Natural Areas**

**Issue # 1** - Illustration of municipal parks, recreation sites, and open spaces on the State Plan Policy Map.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Goal 2: Conserve the State's Natural Resources and System

**County Recommendation-** Bergen County has attached a series of Map Amendments that reflect the desire of municipalities to have their municipal parks, recreation sites, and open space mapped as parkland. These are permanently preserved municipal resources, with their preservation as open space ensured by way of deed restriction or municipal ordinance. As such, these entities deserve the same protections and mapping as County and State Open Space Facilities.

**Recommendation made by** - Bergen County

**Response: AGREE**

*All open space and parks lands that have been permanently dedicated for public benefit will be reflected on the SPPM as Parks. Parks and open space are constantly being added to the State and it is difficult for the Office of Smart Growth to keep it up to date. Cross Acceptance allows counties and municipalities to ensure that all open space and parks are correctly reflected on the SPPM.*

**Issue # 2** - Mapping of Permanently Preserved Open Space (PA 6, 7, 8 and 9)

**State Plan Citation (Existing)** – Parks and Natural Areas, p.227

**State Plan Citation (Preliminary)** – N/A

**Recommendation** - Create a comprehensive dataset of permanently preserved open space that is linked to the SPPM. The counties, DEP and OSG should work together to develop and maintain a comprehensive statewide GIS open space dataset, in coordination with local jurisdictions, and

private and non-profit land preservation entities, which is linked to the SPPM. In the meantime, the data representing new and revised PA 6, 7, 8, and 9 in the County Planning Board's PSPPM Amendment Dataset represents the most accurate and complete open space data, based on State Plan criteria, currently available for use in updating the SPPM.

**Recommended by** – Somerset County

**Response: AGREE**

*All open space and park lands that have been permanently dedicated for public benefit will be reflected on the SPPM as Parks. Parks and open space are constantly being added to the State and it is difficult for the Office of Smart Growth to keep it up to date. Cross Acceptance allows counties and municipalities to ensure that all open space and parks are correctly reflected on the SPPM*

*OSG requests further information concerning the 'linkage' concept as the term has many meanings. The plan mapping already is linked to many other GIS files in that they are used as resources in mapping and updating the mapping of the plan. Linking other state agency datasets to the SPPM in a direct way would be very difficult to coordinate given the complexity of the task, each 'linked' file's update cycle and the current level of resources at the Office of Smart Growth.*

**Issue # 3** - Mapping of Permanently Preserved Open Space (PA 6, 7, 8 and 9)

**State Plan Citation (Existing)** – Parks and Natural Areas, p.227

**State Plan Citation (Preliminary)** – N/A

**Recommendation** - It is recommended that the acreage associated with PAs 6, 7, 8, and proposed new PA9 that adjoins PA5 be included with remaining PA5 when addressing the one square mile SPPM mapping criteria. Flexibility in applying the one square mile delineation criteria when mapping PA5 areas on the SPPM is needed since there are growing instances of locally significant open space areas targeted for preservation are smaller than a square mile.

**Recommended by** – Somerset County

**Response: AGREE**

*The Preliminary Plan retains any areas of significant PA5 acreage that have been fragmented by the introduction of newly mapped parkland. However, many areas of less than 2 acres have been merged with other adjoining Planning Areas. The character of the adjoining areas was also considered when making these designations. We will continue to identify all known park areas.*

**Issue # 4** - During Cross Acceptance, numerous inconsistencies were found in the mapping of proposed Critical Environmental Sites and of Parks and Natural Areas. We assume that these inconsistencies may be attributed to scale, data differences, or policies.

**State Plan Citation (Existing)** - Critical Environmental Sites (CES) and Historic and Cultural Sites (HCS), pgs 224-226

**State Plan Citation (Preliminary)** - Section 8. Mapping Policies, pgs. 41-42

**County Recommendation** - It would appear that there needs to be better data sharing, as well as better communication in general, to help improve the consistency and accuracy of this mapping category.

**Recommended By** - Gloucester County

**Response: AGREE**

*Communication is one of the goals of Cross Acceptance. In addition to cross-acceptance, continual data sharing and communication between the OSG and counties will help improve the consistency and accuracy of New Jersey's mapping overall.*

## Critical Environmental Sites

**Issue # 1** – Do not rely exclusively on NJDEP wetlands map for CES identification

**State Plan Citation (Existing)** – Critical Environmental Sites, p. 224-227

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – On the 2004 Preliminary Map, only wetlands and Natural Heritage Priority Sites are used to determine CES. The NJDEP's wetlands map is notoriously problematic. We caution that this data layer be used only as a starting point for field verification. There currently exists an additional wide range of data and mapping that should be used to determine CES designation. When not resulting in a designation of PA 4b or 5, the following data should be included in CES designations-

- Groundwater Recharge Areas
- Critical Sub-Watersheds (designated C1 Streams HUC14 Subwatersheds)
- Wellhead Protection Areas
- NJDEP Landscape Project Endangered Species Habitat, Ranks 3, 4, 5
- All major stream corridors – major stream corridors are important to the protection of wildlife habitat and water quality, and are considered important aesthetic qualities of our communities. In addition, preservation of stream corridors and connectors are identified as priorities in the County's Open Space and Recreation Plan. A buffer of 100-feet is suggested for maximum protection of the stream. However, while Stream Corridors should be included as CES in the State Plan, they should not be included on the Policy Map. Even a buffer of 100-feet of Stream Corridors barely registers when shown on the Policy Map.

**Recommendation made by** - Mercer County

**Response: AGREE**

*The State Planning process is a multi-tiered effort that utilizes information from a number of sources. Identification of important natural resources, including resources found outside of the designated environmentally sensitive planning areas is a paramount goal for the State Plan. The Office of Smart Growth is working to identify all Critical Environmental Sites through analysis of all reasonably available information.*

**Issue # 2** - Mapping of wellhead protection areas on the SPPM.

**State Plan Citation (Existing)** - Critical Environmental Sites and Historic and Cultural Sites, pgs 224-226

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan needs to recognize the importance of wellhead protection areas. The State should uniformly delineate these areas on the SPPM and note that DEP has mapped source water assessment areas throughout the state. The State should also determine how these areas should be categorized. Recommended By - Gloucester County

**Response: DISAGREE**

*While the policy of the State Plan is to protect public water supplies, mapping the location of each wellhead is well beyond the scope of the State Plan map. While wellhead locations and recharge areas are currently mapped by the DEP, real protection will not be achieved through mapping but through local and Statewide actions. The Plan Endorsement process will require identification of wellheads, wellhead recharge areas and implementation of wellhead protection programs for municipalities based upon available mapping data.*

**Issue # 3** - Consistency with areas mapped as Freshwater Wetlands on the NJ Freshwater Wetlands Map shown as PA5 or CES on State Plan Policy Map.

**State Plan Citation (Existing)** - Environmentally Sensitive Planning Area (PA5) General Description, p215

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - PA5 or CES delineation criteria should include Freshwater Wetlands from NJ Freshwater Wetlands Map and areas subject to C1 Surface Water Quality Standards.

**Recommendation made by** - Ocean County

**Response: DISAGREE**

*Where appropriate and identifiable, these are already delineated for CES and PA5 in the Preliminary State Plan map.*

**Issue # 4** - Map aquifer recharge areas; develop additional policies to protect areas. State Plan **Citation (Existing Plan)** – Statewide Policy 11: Water Resources, Ground Water Sources, Groundwater Policies 10, 11, 15, p. 149

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Aquifer recharge areas should be mapped and afforded a special designation on the SDRP Policy Map. The designation should identify these areas as priority protection areas within the Highlands region. Policies should be adopted to protect undeveloped aquifer recharge areas and limit impervious coverage to the maximum extent achievable.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*While the policy of the State Plan is to protect public water supplies, mapping the location of each aquifer recharge areas is well beyond the capabilities of the Office of Smart Growth. Real protection will not be achieved through mapping but through local and Statewide actions.*

### Historic and Cultural Resources

**Issue # 1** – Historic and Cultural Sites (HCS)

**State Plan Citation (Existing)** – p. 224-227

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Since HCS are included on the State Plan Map for “informational” purposes, and since the sites are protected by their own regulations, HCSs should not be included on the Plan Map. Instead, HCS should be shown on a Second Map as a comprehensive dataset of historic and cultural sites that is linked to the Policy Map. Only historic districts identified on the State and National Registers of Historic Places should be included on the Second Map. If a Second Map is not created, HCS should be removed from the Policy Map.

**Recommendation made by** – Mercer County

**Response: DISAGREE**

*There is only one SPPM. HCS are shown on the map for informational purposes in order to highlight the need to preserve these resources.*

**Issue # 2** - Historic and Cultural Sites

State Plan Citation (Existing) – p. 224-227

State Plan Citation (Preliminary) – N/A



County Recommendation - HCS Overlays should be distinguished as a separate SPPM feature from CES. Regulations, policies and preservation strategies that apply to historic sites differ significantly from regulated environmental features such as C-1 streams, wetlands and 100-year floodplains. A comprehensive dataset of HCS should be shown in all planning areas within which they exist on the SPPM or included in an HCS dataset that is linked to the State Plan.

Recommendation made by - Somerset County

**Response: AGREE**

*HCS and CES are distinguished as separate features in the SPPM and HCS are shown in all planning areas.*

**Issue # 3 - Historic and Cultural Sites**

**State Plan Citation (Existing)** - See box on page 224

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Permit and encourage the mapping of Historic and Cultural Sites in all Planning Areas. However, a minimum size threshold should be imposed so that sites are readable and understandable on the State Plan Policy Map

**Recommendation made by** - Hunterdon County, Monmouth County

**Response: DISAGREE**

*HCS's will be mapped as points on the State Plan Map.*

**Issue # 4 – Historic and Cultural Sites**

**State Plan Citation (Existing)** – p. 224

**State Plan Citation (Preliminary)** – N/A

**County Recommendations** – Scenic corridors, historic districts, and historic sites that are open to the public, including battlefields and bridges, which are included on the State and National Registers of Historic Places, should be delineated as HCS Overlays on the SPPM or included in a HCS dataset linked to the State Plan. The OSG and counties should work with SHPO in the future to develop a GIS-based dataset that is consistent with the SHPO Historic Resources database and which can serve as a future comprehensive statewide GIS HCS dataset that is linked to the SPPM. If the SPPM's HCS overlay is to exist as a GIS dataset that is linked to the SPPM, appropriate language to accommodate this change should be included in the State Plan.

**Recommendation made by** – Somerset County

**Response: AGREE**

*Only historic places listed in the New Jersey or National Registers of Historic Places will be illustrated on the SPPM.*

**Issue # 5 - Proposed mapping policy for Historic and Cultural Sites**

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section 8: Mapping Policies, p. 41

**County Recommendation-** CES should be mapped in Planning Areas 4b and 5. Although one could make the argument that mapping CES in environmentally sensitive planning areas is redundant, one cannot make the same case for HCS. Because there are no State or Federal laws that protect HCS from private-sector development, it is important to keep HCS in the State Plan Policy Map's Planning Areas 4b and 5.

**Recommendation Made by** – Burlington County, Camden County

**Response: DISAGREE**

*CES's will not be mapped in areas already designated as environmentally sensitive. HCS's have always been mapped in all planning areas.*

**Issue # 6** - Criteria for mapping Historic and Cultural Sites

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section 8: Mapping Policies, p. 41

**County Recommendation**- The State Plan Policy Map's current delineation criteria for HCS includes greenways and trails, dedicated open space, scenic vistas and corridors, and natural landscapes of exceptional aesthetic or cultural value. Because one also could map many of these features as CESs or Parks, we recommend to revise the HCS criteria to include only historic sites and districts, archeological sites, and other culturally significant elements or the built environment.

**Recommendation Made by** - Camden County

**Response: AGREE**

*Only historic places listed in the New Jersey or National Registers of Historic Places will be illustrated on the SPPM as HCS's.*

**Planning Areas**

**Issue # 1** - Planning area designation in C1 watersheds.

**State Plan Citation (Existing)** – Planning Areas, Metropolitan Planning Area (PA1), p.187-194

**State Plan Citation (Preliminary)** – Goal 2: Conserve the State's Natural Resources and System

**County Recommendation** – Is it appropriate that the Planning Area designation for sewer and developed area upstream in the C1 watershed be PA1?

**Recommendation made by** - Bergen County

**Response: DISAGREE**

*The PA1 delineation criteria in the current State Plan and the mapping methodology adopted by the State Planning Commission on 9/21/05 is designed to designate only areas appropriate for growth based upon analysis of a number of planning factors. This designation does not mean that important environmental resources will be ignored or sacrificed for development. Appropriate protections for water resources will be mandated.*

**Issue # 2** – No issue.

**Issue # 3** - Delineation criteria for PA5 and CES regarding C1 waters.

**State Plan Citation (Existing)** - Intent of CES designation on pages 221-227

**State Plan Citation (Preliminary)** – Section 8 Mapping Policies, p. 41.

**County Recommendation** - Should we assume that an area mapped as C1 waters and their associated buffers is a critical environmental feature, to be designated as either CES or PA-5 depending upon its size and geometry?

**Recommendation made by** - Bergen County

**Response: DISAGREE**

*No, C1 streams will be shown on the SPPM with a black slightly thicker line of a different color. The associated buffers will not be shown on the maps however the water bodies and their buffers should be considered environmentally sensitive. In addition, where appropriate, some of these features will be shown as environmentally sensitive.*

**Issue # 4** - The delineation criteria for the various Planning Areas - particularly PA2 through PA5 - are not sufficiently specific

**State Plan Citation (Existing)** – Delineation criteria for the various Planning Areas, pgs. 190, 195, 201, 207, 215, 216, and 226 (for CES)

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – We continue to question the Planning Area delineation criteria both in substance and in application. The criteria take on increased importance given the fast track legislation and other state agency reliance of the SDRP. While the counties have long supported state agency coordination, leading to putting teeth in the Plan, the lack of distinction between planning areas raises substantial equity issues. Density appears to be the most critical in achieving a particular feel in an area, yet Planning Areas 2-5 all have the same population density criteria. Existing developed areas are not necessarily the best places for new growth. Many have substantial constraints on infrastructure systems we are urging that the delineation criteria should be reviewed, have clear definitions, and the role of sewer service areas be clarified.

The following are recommendations and issues with the current criteria that must be addressed-

- 1) • A capacity analysis of systems must be undertaken in order to determine where growth can be supported. Systems such as sewer service, water, transportation and other systems, as well as plans to improve or expand them must be undertaken in order to determine where growth can be supported.
- 2) • Planning Area delineation criteria should be more specific and clear, and include such criteria such as density, development patterns, zoning, and environmental constraints.
- 3) • Planning Area 3 should have specific, clear, delineation criteria, or the delineation criteria for the other Planning Areas should be changed to minimize the land area in PA3. The true intent of Planning Areas 3 is either unknown, or confusing.
- 4) • There should be greater differentiation between Planning Area delineation criteria. The delineation criteria for Planning Areas 2, 3, 4, 4b and 5 all contain the criteria "Population density of less than 1,000 people per square mile."
- 5) • Population density should not be the sole determinant of density.

**Recommendation made by** - Bergen County, Mercer County, Somerset County

**Response: AGREE IN PART/DISAGREE IN PART**

- 1 *Agree- Capacity analysis of systems should be undertaken in order to determine where growth can be supported.*
- 2 *Disagree - Different areas are defined based on their current and potential uses, which take into account density, development patterns, zoning and environmental constraints. Planning areas are intended for use as general guidelines, not as tools for zoning.*
- 3 *Disagree - Planning Area 3 is land that does not fit the criteria for other planning areas. As such the land's future has not yet been determined. It is assumed it can either be developed or preserved when the time is right based on the overall planning decision for the area.*
- 4 *Disagree - Population is only one of the delineation criteria for each of these Planning Areas. Considering all the criteria enables one to determine the appropriate Planning Area and therefore future land uses.*
- 5 *Agree - Population density should not be the sole determinant of Planning Area designation, of density and it is only one of the delineation criteria for each of the planning areas.*

**Issue # 5** - Reconsider the requirement that Planning Areas be at least one square mile in size.

**State Plan Citation (Existing)** – Delineation criteria for the various Planning Areas, pgs 190, 195, 201, 207, 215, and 216.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The Plan Map is drawn with a fine pen, not a thick marker. The lines illustrating Planning Area boundaries have a presumed level of accuracy. Given the increased regulatory reliance on the Map, the State should revisit the policies that require that a Planning Area be a minimum of one-square-mile in size.

**Recommendation made by** - Mercer County

**Response: DISAGREE**

*Lines Boundaries mapped at a scale of 1:24,000, the scale of the official maps of the State Plan, are accurate to within 45 feet. The Preliminary Plan mapping has been developed to help with the application the State Plan Statewide Policies in order to achieve the goals of the State Planning Act. The map is a Policy Map not designed with regulatory intent.*

**Issue # 6** - Fully developed Boroughs should not be PA1 or PA2, since they cannot accommodate and do not desire more development.

**State Plan Citation (Existing)** – Planning Areas, Geographic Framework for Livable Communities, p.186

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Existing, fully developed places surrounded by neighboring townships have no room and/or no infrastructure to grow within their own boundaries. It may be desirable from a pure planning perspective to have these places be centers for growth. However, the reality is that these places do not want their borders breached and many have preserved greenways to avoid such a pattern. There needs to be a way to recognize existing developed places without identifying them as locations for growth. Boroughs such as Pennington are wholly developed in a dense residential pattern. Given the “fast track” legislation, a Planning Area 2 designation raises concerns. Yet, the development pattern is consistent with density one would expect in Planning Area 1 or 2. The Plan should recognize these places as existing places with no room to grow.

**Recommendation made by** - Mercer County

**Response: DISAGREE**

*The State Plan defers the decision to continue to grow or to redevelop in “existing developed places” to the municipality’s zoning authority and to the ability of infrastructure and resources to sustain additional development.*

**Issue # 7** - A sub-category should be added to the Metropolitan Planning Area (PA1) designation.

**State Plan Citation (Existing)** – Planning Areas, Metropolitan Planning Area (PA1), p. 187

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – A sub-category should be added to the Metropolitan Planning Area (PA1) to more accurately represent the many less urban communities in the Metropolitan Planning Area. The subcategory should include the municipalities consisting of older established communities at or near full build-out, that are focused on preservation/enhancement of existing character and conditions. A category is needed between PA1 and PA2 to address “edge” metropolitan areas that are neither urban nor suburban.

**Recommendation made by** - Essex County, Morris County (similar to Mercer County recommendation regarding fully built-out communities unable and unwilling to grow).

**Response: DISAGREE**

*The State Plan defers the decision to continue to grow or to redevelop in “existing developed places” to the municipality’s zoning authority and to the ability of infrastructure and resources to sustain additional development.*

**Issue # 8 – Habitats in PA 1 and PA2**

**State Plan Citation (Existing)** – Planning Areas, Metropolitan Planning Area (PA1), p. 187; Suburban Planning Area, p. 194

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – There are developed Areas in PA1 and PA2 that are simultaneously habitats important to threatened species and therefore should be included in PA5.

**Recommendation made by** – Middlesex County

**Response: DISAGREE**

*If there are environmentally sensitive sites in PA1 or PA2, they should be mapped as CES.*

**Issue # 9 - Planning Area 4 versus 4B and Agricultural Viability**

**State Plan Citation (Existing)** – SPPM, Rural Planning Area, Agriculture and Farmland Preservation, p. 210

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Analysis of GIS data, including updated information about Category One watersheds, resulted in the elimination of PA 4 and its replacement with PA 4B. The agricultural community expresses concern about the implications of heightened environmental regulation that may be associated with a PA 4B designation in the future. The intent of Planning Area 4B is to apply Planning Area 4 policies to existing uses (including, presumably farming activities) and to apply PA 5 policies when land is subject to development or redevelopment. At the same time, however, the State Plan qualifies the latter statement by including the promotion of agricultural practices that prevent or minimize conflicts with sensitive environmental features. The agricultural policies governing PA 4 state “Guide development to ensure the viability of agriculture and the retention of farmland in agricultural areas” (2001 State Plan, p. 210). Among the statements of intent for PA 4 is to “promote a viable agricultural industry” (p. 208). State agencies must be sensitive to the agricultural community and the desire in rural areas to support both farmland preservation and farming as an economically viable activity. Farmers need assurance that properties in PA 4B will not be overburdened with regulation but instead, be treated as existing uses, subject to PA 4 policies.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Planning Area 4 is not being eliminated. The PA4B sub-area will continue to be used to designate environmentally sensitive areas where agriculture is prevalent. PA4B is not intended to limit agriculture in these areas but to limit development. When development does take place, it should respect the natural resources of the area. Nothing in this designation is designed to hinder active agriculture.*

**Issue # 10 - Map CESs in PA4s.**

**State Plan Citation (Existing)** – Critical Environmental sites, p. 224-26

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Critical Environmental Sites should be mapped in PA4's as they are in PA1, PA2 and PA3. Many fairly large residential subdivisions are taking place, outside of centers,

in rural planning areas in our county so it is necessary to clearly indicate where the Critical Environmental Sites are located in order to preserve these resources. The mapping of Critical Environmental Sites takes on an added importance by assuring highly treasured, undeveloped land is protected from further dense development.

**Recommendation made by** - Bergen County, Monmouth County, Gloucester County

**Response: AGREE**

*We agree that Critical Environmental Sites will be mapped in PA4 to identify the resources. It is not necessary to map these features in Planning Areas 4B and 5.*

**Issue # 11** - Proposed Mapping Policies for CES in PA4B and PA5

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section 8: Mapping Policies, p. 41

**County Recommendation** – The SPPM should continue mapping CESs in Planning Areas 4B and 5. Development does occur in PA 4B and 5. By not mapping CESs, unique small-scale and linear environmental features will be overlooked. These features, delineated on the SPPM, have already proven to be helpful reference points to not only state and local officials but to private and nonprofit sector interests.

**Recommended By** – Burlington County

**Response: DISAGREE**

*Both PA4B and PA5 are environmentally sensitive by definition. Adding a CES overlay would not provide any additional benefit to the SPPM.*

**Issue # 12** - It is unrealistic to designate corporate campuses as PA4 or PA5, which might prevent them from completing approved construction.

**State Plan Citation (Existing)** – P. 186, Planning Areas – Geographic Framework for Livable Communities

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Recognize Existing Places, Including Corporate Campuses- One major purpose of the State Plan is to change the landscape of New Jersey by directing growth to appropriate locations. Many of these corporate facilities have approved General Development Plans and should not be precluded from implementing them. The mapping threshold presents problems because Planning Areas 4 or 5 surround many of these places.

**Recommendation made by** - Mercer County

**Response: AGREE**

*Corporate campuses are not mapped as PA4 or PA5 as a rule. Rather, they are mapped according to the planning area criteria as applied to where they are located. For example, they would be mapped as PA2 if the area meets the minimum size requirement of one-square mile and other characteristics required for PA2.*

**Issue # 13** - Designation of towns in PA 4, 4B, and 5; creation of regional planning areas that cross municipal boundaries.

**State Plan Citation (Existing)** – Planning Areas, Rural Planning Area (PA 4), p. 205; Environmentally Sensitive Planning Area (PA 5), p 215.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - There remains a general confusion why many existing towns that are served with central water and sewer are mapped as a Planning Area 4 which by definition includes

land areas with soils classified as prime, statewide, unique, and local importance or planning areas 4B or 5 that by definition contain steep slopes areas, and wetlands, land areas in trout production or maintenance watersheds, category I watersheds, and watersheds of existing or planned potable water supply sources. Other criteria include aquifer recharge areas, wetlands, critical slope areas, limestone areas, prime forested areas, endangered or threatened plant and animal species habitats, and natural landscapes of exceptional value. While it is true that existing towns may fall in a high quality watershed, the land area characteristics are more like those found in a Planning Area 1 or 2. These rural towns are lost when they are hidden in the rural or environmentally sensitive planning areas. Therefore it is recommended that a planning area be created to recognize existing regions and development patterns that may cross municipal jurisdictions.

**Recommendation made by - Warren County**

**Response: DISAGREE**

*The State Plan provides the tool of center designation, which can be achieved through Plan Endorsement. The designations of Hamlet, Village, Town, or regional center are available in appropriate circumstances for the exact examples presented above.*

**Issue # 14 -** Modify Planning Area 5 policies and criteria to reflect existing low intensity agricultural uses

**State Plan Citation (Existing)** – Planning Areas, Environmentally Sensitive Planning Area (PA5) General Description, Delineation Criteria, Intent and Policy Objectives, pgs 215-219

**State Plan Citation (Preliminary)** – N/A

**County Recommendation -** In Somerset County's Planning Area 5 and Highlands municipalities, water supply, T & E Species Habitat protection and preservation of scenic/historic-rural landscape features are the highest land use priority. Existing low-intensity agricultural uses interspersed throughout these areas play an important role in protecting these resources but are not recognized in the PA 5 description and policies. It is important that an open, dialogue take place on these issues. This public involvement process requires balanced representation from communities and agricultural/farming stakeholders from all regions and Planning Areas of the State, including the Highlands and State-designated Special Resource Areas. Proposed New Policies –

- 1 The existence of low-intensity agricultural and forestry uses should be included as a PA5 delineation Criteria on p. 216.
- 2 High priority should be given to public investments to preserve existing low-intensity agricultural and forestry uses in PA5.
- 3 A balance is encouraged between the objectives of Right-to-Farm Act and environmental protection priorities in PA5 and PA4B areas, particularly within the Highlands Municipalities and State designated Special Resource Areas such as the Sourland Mountains.
- 4 Policy Objective 6 on Page 218 should be strengthened by including the implementation of best management practices that minimize storm water runoff impacts of agricultural activities and that minimize impacts to T & E Species Habitat.
- 5 Furthermore, it is recommended that the following statement be removed from Policy 6, since it appears to be in direct conflict with the intent of PA5 - Actively promote more intensive, new-crop agricultural enterprises and meet the needs of the agricultural industry for intensive packaging, processing, value-added operations, marketing, exporting and other shipping through development and redevelopment". This policy language is more appropriate for PA4 and 4B, where agricultural preservation should be the highest land use priority

**Recommendation made by - Somerset County**

**Response: AGREE IN PART/DISAGREE IN PART**

1) *Disagree with:* “The existence of low-intensity agricultural and forestry uses should be included as a PA5 delineation Criteria on p. 216.” The “General Description” of PA5 addresses the fact that agriculture and forestry exist in these regions, and the “Policy Objectives” provide guidance as to how these uses can co-exist in the environmentally sensitive areas. While low-intensity agricultural and forestry uses may exist, they should not be used as a basis for defining PA5. The primary intent of PA5 is to delineate large contiguous land areas with valuable ecosystems, geological features and wildlife habitat. The existence of the agriculture and forestry industries in this region no more defines it than the existence of houses or factories. Agriculture and forestry are ancillary uses, not defining elements.

2) *Disagree with:* “High priority should be given to public investments to preserve existing low-intensity agricultural and forestry uses in PA5. “ The Sustainable Agriculture and Comprehensive Planning Policy 1 prioritizes agricultural acquisitions based on the Agriculture Smart Growth Plan (November 2003) and the Strategic Targeting Initiative (?) of the SADC. Lands within the Rural Planning Area are given the highest priority for a number of reasons including their quality and susceptibility to conversion. This does not diminish the need or willingness to preserve farms in PA5, it merely reflects the evaluation criteria already established by the farmland preservation program.

3) *Agree with:* “A balance is encouraged between the objectives of Right-to-Farm Act and environmental protection priorities in PA5 and PA4B areas, particularly within the Highlands Municipalities and State designated Special Resource Areas such as the Sourland Mountains.” The “Implementation Strategies” of both PA4 and PA5 should recognize the needed commitment to Right-to-Farm.

4) *Disagree:* While protection of T&E habitats is important, adding legal protections for T&E species is more appropriate than adding them to every policy in the State Plan.

5) *Disagree:* In order for agriculture to survive in the State, we need to permit a variety of sound agricultural practices to allow farming operations to be economically viable. Farming will always be subject to environmental regulations that limit agricultural activities to some extent.

**Issue # 15 - Need to better define Planning Areas 4B and 5**

**State Plan Citation (Existing)** – Planning Areas, Rural/Environmentally Sensitive Planning Area (PA4B), Delineation Criteria, p.215

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Is there enough distinction between Planning Areas 4B and 5 as written in the State Plan? Perhaps there needs to be more clearly delineated policy distinctions between the two Planning Areas. Participants believe that the State Plan needs to offer clearer policy distinctions between Planning Areas 4B and 5.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

The PA4B sub-area is used to designate environmentally sensitive areas where agriculture is prevalent. PA4B is not intended to limit agriculture in these areas but to limit development. When development does take place, it should respect the natural resources of the area.



**Issue # 16 - Intent and policy objectives for Planning Area 4B**

**State Plan Citation (Existing)** – Planning Area, PA4B, Policy Objectives, p. 214

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - State agencies most notably the Department of Agriculture and Department of Environmental Protection must set clear policy direction for and distinctions between how land in PA 4B will be treated relative to PA 4 and PA 5. These policy directions must be supportive of agriculture if we are truly interested in maintaining farming as a viable enterprise in New Jersey.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*The PA4B sub-area is used to designate environmentally sensitive areas where agriculture is prevalent. PA4B is not intended to limit agriculture in these areas but to limit development. When development does take place, it should respect the natural resources of the area.*

**Issue # 17 - Criteria for Planning Area 5**

**State Plan Citation (Existing)** – Planning Areas, Environmentally Sensitive Planning Areas, p.215

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - PA 5 criteria include a variety of environmental factors, ranging from water resources to habitats to significant natural features of landscapes. While Planning Area 5 recognizes prime aquifer recharge areas, it fails to acknowledge areas of poor aquifer recharge. If over developed or developed without due consideration of best management practices, areas of poor aquifer recharge could indeed present a threat to the future environmental and economic integrity of the state. Planning Area 5 should include an additional criterion, namely areas of poor aquifer recharge.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Municipalities in PA5 should be doing resource planning based on potable water and soil conditions to accommodate septic systems. These factors will directly dictate the density of development in these areas. The local analysis will account for the variable conditions in the State from place to place.*

**Issue # 18 - Planning Areas 1 and 2 v. Planning Areas 3, 4, 4B and 5**

**State Plan Citation (Existing)** - (Page 186)

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should highlight the intent not only to direct growth to Planning Areas 1 and 2, but also to limit future development in Planning Areas 3, 4, 4B and 5. This is especially appropriate in Planning Areas 4, 4B and 5, where excessive growth can create conflicts with agricultural areas and environmentally sensitive areas. To some extent, it is also applicable in Planning Area 3, which is intended to accommodate growth but also to serve as a buffer between more developed Planning Areas 1 and 2, and more rural Planning Areas 4, 4B and furthermore, the State Plan Policy Objectives for PA 4, 4B and 5 should be amended to recognize that not all PA 4,4B and 5 communities are suited for the creation of new Centers or significant expansion of existing Centers. Excessive growth and the creation of numerous Centers have the potential to fragment natural resources, agricultural lands and other features of these Planning Areas. While it

may be appropriate in some places, it should not be expected in all places. This is a determination that can only come about through the local planning process and, ultimately, Plan Endorsement.

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*Directing growth to Planning Areas 1 and 2, and limiting future development in Planning Areas 3, 4, 4B and 5 is a major objective of the SDRP. However, it still allows the local planning process to determine where development is appropriate.*

**Issue # 19** - Woodlands, Planning Area 4 and Planning Area 5

**State Plan Citation (Existing)** - Page 215

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Forest resources, while a valuable agricultural commodity (in which case, PA 4 designation would be more appropriate.) address critical environmental needs as well. Criteria in recognizing forest resources appropriate for PA 5 should not be based on timber production, but rather on such factors as ground recharge, water quality and storm water management habitat value, erosion control, and air quality value. Woodlands should be recognized for their multiple environmental benefits as a criterion for PA 5. PA 4 should recognize woodlands but only if the primary desired land use policies of selected wooded areas are agricultural rather than environmental.

**Recommendation made by** - Hunterdon County

**Response: DISAGREE**

*Planning Area designations are based on set criteria that include all the benefits of healthy woodlands.*

**Issue # 20** - Growth in Centers and PAs 1, 2, & 3 should not be imposed on municipalities

**State Plan Citation (Existing)** – Planning Areas, p.186-87

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Development, redevelopment and infrastructure expansion should not be imposed on Centers, or in PAs 1, 2 or 3. Municipalities should define the amount of growth and associated infrastructure it determines to be appropriate based on community, economic, natural system and infrastructure capacity. Growth should not occur at the expense of community character, environmental quality, community fiscal balance and quality of life. The OSG and SPC should develop appropriate models and associated system capacity data that can be used by municipalities and counties in assessing system capacity and needs in PAs 1, 2, 3 and Centers. Infrastructure investment prioritization is needed in communities that have identified areas where development, infill and redevelopment opportunities exist but that are hampered by known infrastructure constraints.

**Recommendation made by** - Somerset County

**Response: AGREE**

*The State Plan does not supercede local planning. Local land use decisions remain under the control of local zoning and the local governing body. Development will be limited by the ability of local infrastructure and resources to accommodate that growth.. However, directing growth to Designated Centers or Planning Areas 1 and 2, along with limiting future development in Planning Areas 3, 4, 4B and 5 is a major objective of the SDRP. However, it still allows the local planning process to determine where development is appropriate.*

**Issue # 21** - Growth in Centers and PAs 1, 2, & 3 should not occur if it results in over-fragmentation of ecological, environmental and agricultural resources

**State Plan Citation (Existing)** – Planning Areas, p.186-87

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - In several areas of the state, including Somerset County, substantial land mass comprised of PA 4, 4B and 5 necessary to accommodate new centers as defined by the State Plan may not exist, without overly fragmenting ecological, environmental and agricultural resources. Capacity based land area thresholds should be identified for PAs 5, 4B and 4, so that the development of new centers does not compromise the original intent, use and character of these areas.

**Recommendation made by** - Somerset County

**Response: AGREE**

*The State Plan does not require the identification of Centers. However, where centers are designated within Planning Areas 5, 4 and 4B, the capacity of resources and infrastructure must be ascertained before Center Designation is granted.*

**Issue # 22** – Criteria for Center Designation

**State Plan Citation (Existing)** – Centers, p. 231

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The State Plan should have a policy acknowledging that existing hamlets, villages and towns do not necessarily have to accommodate additional growth. Most of these communities do not have the infrastructure to support additional growth. Furthermore, new development threatens the historical integrity of these places.

**Recommendation made by** - Hunterdon County

**Response: AGREE**

*The State Plan is a guidance document that directs growth to areas with existing infrastructure. It leaves it up to local entities to plan accordingly. If they want to discourage additional growth within their hamlets, villages or towns, they should be addressed at the municipal level. In addition, Plan Endorsement does not require the creation of a Center.*

**Issue # 23** - Request for economic assistance for municipalities that send growth to centers.

**State Plan Citation (Existing)** - Centers P.230

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – If commercial and industrial development is focused in one municipality as part of the center concept, those municipalities, which are lacking in such ratables, suffer for the benefit of the center as a whole. This major issue must be addressed by the State Planning Commission for the center concept to have any credibility in rural municipalities.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*The purpose of the State Plan is to recommend sustainable land use policies that meet New Jersey's current and future needs. This includes the full range of potential land uses and directing the development of those uses to appropriate areas of the state. Property tax considerations should not drive the land use decision making process. Reform of the local tax structure may reduce the often exclusive focus on "chasing after" commercial development and promote more rational planning, however, actual change of the tax structure is outside the purview of the State Plan.*

**Issue # 24** - Appropriateness of Centers in PA 4 and PA 5.

**State Plan Citation (Existing)** – Policies for Planning Areas, p. 228; Centers, p.230.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – The State should reconsider the concept of transferring regional growth into centers in Planning Area 4 and 5. The center concept is inappropriate in these areas.

**Recommendation made by** - Morris County

**Response: DISAGREE**

*The decision to create a center begins at the local level in any planning area. If a town in PA 4 or 5 chooses to grow, the growth should be guided into centers to preserve open space, farmland and natural resources and to preserve or improve community character, increase opportunities for reasonably priced housing, take advantage of existing infrastructure and strengthen beneficial economic development opportunities. Strategic planning and investing can accommodate beneficial development and redevelopment in Centers, both efficiently and equitably. Plan Endorsement does not require the creation of a Center.*

**Issue # 25** - Center policies and density criteria should recognize and enable the distinction between growth, limited growth and non-growth centers

**State Plan Citation (Existing)** - Center Boundaries, p.235

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Center Boundaries are delineated to reflect, where possible, physical features such as streets, streams or critical slope areas, or changes in the character of development. Flexibility in application of Center density criteria is needed to acknowledge the difference between existing density in new/growing centers and future density that will result as center plan implementation progresses. Language should be added to the SDRP that emphasizes that Center and Core Planning Criteria and Guidelines should be flexibly applied. Future growth and targets should be based on system capacity. This will enable rational determination of density and growth appropriate for any given center. The Center Policies and Criteria in the State Plan should recognize and enable the distinction between growth, limited growth and non-growth centers.

**Recommendation made by** - Somerset County

**Response: DISAGREE**

*The State Plan provides the tool of center designation, which can be achieved through Plan Endorsement. The designations of Hamlet, Village, Town, or regional center are available in appropriate circumstances for the exact examples presented above. Center based growth is left to the discretion of the municipality's zoning and planning authority and to the ability of existing and proposed infrastructure and resources to sustain additional development*

**Issue # 26** - Educating the public on the impact of concentrating growth in centers, specifically the issues of density.

**State Plan Citation (Existing)** - Centers P.230

**County Recommendation** – The quality of life of those who already live in centers is potentially threatened by new higher density development. In general, increased density has become a concept to fight rather than embrace. To overcome the threat of density, the State Development and Redevelopment Plan must address the public perceptions of density. It is not interested in increased density, which seems to be advocated in the state plan policies regarding centers.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*Density is only encouraged where planned and existing infrastructure and resources can sustain such. The benefits of properly designed density far outweigh its challenges.*

**Issue # 27** - None of the Centers defined within the State Plan fit the characteristics of a Resort Coastal Community. The current "Town Center" designation is inconsistent with the characteristics of a Resort Coastal Community

**State Plan Citation (Existing)** - Types of Centers, p. 237

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Create a new Center such as Resort Coastal Town Center

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*The criteria for designating towns, villages and hamlets as Centers provide for flexible application of requirements, based on local conditions.*

**Issue # 28** - Opposes the removal of CAFRA Coastal Centers from the State Plan Policy Map

**State Plan Citation (Existing)** - Relationship of the State Plan to Other Plans, p. 276

**State Plan Citation (Preliminary)** - Changes to the "Role of the State Plan", p.6

**County Recommendation** - CAFRA Coastal Centers should be placed on the SPPM and utilized as Smart Growth areas during the time period that the Township is participating in the Plan Endorsement Process. Further, all State Agencies must recognize these Centers and must implement their regulatory programs and/or funding decisions based on their identification as Smart Growth areas.

**Recommendation made by** - Cape May County, Burlington County

**Response: DISAGREE**

*The SPPM reflects only SPC designated centers.*

**Issue # 29** -What is the benefit of a municipality to designate Centers, Cores, and Nodes in PA-1?

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Planning for Centers

**County Recommendation** – The Center, core and node designations have limited to no significance in already-developed landscapes with no discernable "hinterland"

**Recommendation made by** - Bergen County

**Response: DISAGREE**

*State agencies have created benefits to as part of the Plan Endorsement and center designation process. However, the SPC should consider other ways of recognizing geographic areas in PA's 1 & 2 which are more effective at identifying the scale at which good planning occurs.*

**Issue # 30** - Agricultural

**State Plan Citation (Existing)** - Planning Areas, pg. 186

**State Plan Citation (Preliminary)** - Mapping Policies, pg. 41

**County Recommendation** - Create a new Planning Area for preserved farmland. This category of land use is important to State policy but is not a good fit to any of the existing Planning Areas and is not identified on the State Plan Policy Map.

**Recommendation made by** - Middlesex County, Mercer County, Somerset County, Gloucester County

**Response: DISAGREE**

*It is not practical to create a new Planning Area for preserved farmland. However, depending on the complexity of the mapping, the State Planning Commission may consider mapping them on the State Plan Policy Map in the future in the similar manner that CES's are mapped..*

**Issue # 31** - Map prime agricultural soils; develop additional policies to protect areas.

**State Plan Citation (Existing)** – Statewide Policy 15: Agriculture, p. 159

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Prime agricultural soils should be mapped and afforded a special designation on the SDRP Policy Map. Regional growth pressure continues to place demands on the conversion of prime agricultural soils to non-agricultural uses. These soils are a dwindling resource in the State and the SDRP should identify prime agricultural soils as critical resource areas, which should be preserved to the maximum extent achievable.

**Recommendation made by** - Warren County

**Response: DISAGREE**

*The delineation criteria for PA4 incorporates soils characterizations for identification of agricultural lands, and the implementation strategies reflect the need to retain and preserve these lands for their agricultural resource value.*

**Issue # 32** - Sanitary Sewer Service Area /SPPM Issues

**State Plan Citation (Existing State)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Develop an accurate, detailed, statewide sanitary sewer service and facility dataset that is linked to the SPPM. The SPPM should take precedence over Wastewater Management Plans in shaping land use policy, and should be used to guide infrastructure investment. Enhanced coordination among land use and wastewater management plans and regulations is needed at all jurisdictional levels. Comprehensive, updated GIS Information on the location, condition and capacity of sanitary sewer infrastructure and service area boundaries should be linked to the SPPM. State resources and programs for addressing needed system expansions and repairs in targeted growth areas must be developed. A new framework for coordinating planning, policies and capital investments among wastewater management planning entities, sewer authorities, water supply entities, and various jurisdictions is needed. The relationship between “existing” and “approved future” sewer service area plans and policies with the SPPM should be made clear in the SDRP. The updated SDRP and associated SPPM should take precedence over and guide Sanitary Sewer Service Planning, Policies and Investments.

**Recommendation made by** - Somerset County, Gloucester County

**Response: AGREE**

*DEP has jurisdiction over the mapping of sewer service areas. The SPC and DEP are working together to obtain the information to accurately map these areas. Planning Area designations reflect existing sewer service areas to the extent that they are known.*

**Issue # 33** – Sewer Service Areas

**State Plan Citation (Existing)** - Planning Areas, page 186.

**State Plan Citation (Preliminary)** – Goal 4: Protect the Environment, Prevent and Clean Up Pollution

**County Recommendation** - Areas without sewers should not be mapped as PA-1. While many of these areas received this designation decades ago, there is no intention, nor the financial

wherewithal in most cases, to develop this infrastructure. These areas should not remain in a PA-1 designation, which implies that additional growth at higher densities should be encouraged without the necessary infrastructure to support such developments. Moreover, the SPPM needs to reconcile the inconsistency of Sewer Service Areas located in non-growth areas with the State Plan Policies.

**Recommendation made by** - Bergen County, Gloucester County

**Response: DISAGREE**

*Sewer service areas are only one attribute, among many, used to evaluate a planning area designation. All characteristics do not necessarily have to be present in order for a specific planning area to exist.*

**Issue # 34** - The State Plan should provide more guidance as to the appropriate size of Nodes.

**State Plan Citation (Existing)** – Policies for Planning Areas, Policies 4 and 5, p. 229; State Plan Glossary.

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - The Policies for Planning Areas and/or the definition for Node should indicate a minimum area that may constitute a Node.

**Recommendation made by** - Essex County

**Response: DISAGREE**

*The creation of a node should be based on the unique needs of the site. A minimum size threshold should not be necessary for a site to acquire this designation.*

**Issue # 35** - The delineation of highway interchanges as “Nodes”

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** Section 8 “Mapping policy changes for Critical Environmental Sites and Nodes”, p. 42-43

**County Recommendation**- It is unclear whether the Preliminary Plan seeks to delineate highway interchanges as “nodes.” If the Preliminary Plan stresses the importance of maintaining congestion-free highway interchanges to ensure efficient goods movement, it would then seem counter-intuitive to delineate these interchanges as “nodes.” Such delineation would imply public-sector encouragement of private-sector development at these locations, which would lead to further congestion.

**Recommendation Made by** - Camden County

**Response: AGREE**

*The Plan does not identify highway interchanges as Nodes. Nodes are delineated through the Plan Endorsement process to recognize commercial, industrial or agricultural uses.*

**Issue # 36** - Existing and proposed language restricting new Nodes to Centers in Planning Areas 4, 4B and 5.

**State Plan Citation (Existing)** – Policies for Planning Areas, Policy 5: Planning for New Nodes, p.229

**State Plan Citation (Preliminary)** – Section 8, Mapping Policies, Agriculture Industry Nodes - Policy #5 – Planning for Nodes (pages 42-43)

**County Recommendation** – Nodes by their nature tend not to fit into mixed-use centers. For example, industrial/commercial parks should be located with easy access to major highway and rail systems. Prior planning should work to avoid the conflicting roles required by mixed-use centers and nodes. Additionally, noise tolerance is expected to be much greater in nodes, street design

requirements are more stringent, and the interaction of pedestrians and vehicular traffic is discouraged. Agricultural Industry should be located close to the production of products, an activity that also does not lend itself to dense mixed-use centers. The entire approach should be rethought.

**Recommendation made by** - Sussex County

**Response: AGREE**

*The concept of nodes needs to be reconsidered given the inconsistency between the general definition of Node and the policy for Commercial-Manufacturing Node in the current State Plan.*

**Issue # 37** - The addition of Agriculture Industry Nodes to the list of types of development nodes supported by the State Plan.

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** - Section Eight: Mapping Policy Changes for Critical Environmental Sites and Nodes, Pages 42-43

**County Recommendation** – Agriculture Industry Nodes should be allowed in areas outside of Centers in Planning Area 3, 4, 4B, 5 and 5B for the following reasons: 1) some of New Jersey's existing rural centers have insufficient land within their boundaries to accommodate new development; 2) some agricultural support industries do not make for good neighbors and are better situated away from concentrated populations; and 3) there are areas outside of centers along major highways that are more strategically located for agricultural support industries than within the traditional centers of community life. Burlington County agrees that the State Planning Commission as part of an Endorsed Plan should delineate Agricultural Industry Nodes.

**Recommended By** – Burlington County

**Response: AGREE**

*Policy 5 - Planning for New Nodes (p. 229. The State Development and Redevelopment Plan, adopted March 2001) should be amended to reflect the ability to designate non-center growth areas for agricultural nodes in PA3, 4 or 5 as part of an endorsed plan.*

**Issue # 38** - Identify redevelopment areas, transit villages and revitalization areas on the Map

**State Plan Citation (Existing)** – N/A

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Create a new statewide GIS dataset for adopted redevelopment, revitalization areas, TDR Receiving Areas and Transit Oriented Developments and other special designation areas that is linked to the State Plan. A list of redevelopment areas has been included in the County Cross-acceptance Report. A geographical area has not been defined for proposed Transit Oriented Villages or TDR Receiving Areas in the County. Other special designation area categories such as Urban Enterprise Zones, although not currently present in Somerset County, should be included in the statewide dataset.

**Recommendation by** - Somerset County

**Response: AGREE**

*The State Planning Commission is generally in favor of mapping relevant datasets with the understanding that the GIS files must be created and maintained by their originators.*

**Issue # 39** - The State Plan should identify areas in the State where redevelopment is slated, as not all of the Metropolitan Planning Area takes on a redevelopment character.

**State Plan Citation (Existing)** – Relationship of the State Plan to Other Plans, p.276

**State Plan Citation (Preliminary)** – N/A



**County Recommendation** – Add a map to the State Plan, similar to the Developed Land and Unprotected and Undeveloped Land maps, that indicate where significant areas of redevelopment efforts are planned, underway or have been implemented.

**Recommendation made by** - Essex County

**Response: AGREE**

*The State Planning Commission is generally in favor of mapping relevant datasets with the understanding that the GIS files must be created and maintained by their originators.*

**Issue # 40** - Major highways should be included as barriers in a higher planning area to allow for the expansion of the roadways to meet infrastructure needs.

**State Plan Citation (Existing)** -Policies for Planning Areas, p. 228

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** - Use major highways as barriers to higher Planning Areas. Place major highways in the higher Planning Area to allow for the expansion of the Roadways to satisfy Infrastructure Needs.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*Highways cannot always be a determining factor for Planning Area boundaries. If a portion of a highway needs to be widened or improved, the planning area designation does not restrict or affect this consideration.*

**Issue # 41** - Environmental constraints (i.e. Category 1 streams) should not extend across a divided highway, since the highway acts as a barrier.

**State Plan Citation (Existing)** -Policies for Planning Areas, p. 228-229

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** -Remove environmental constraints from map areas that extend across major highways.

**Recommendation made by** - Cape May County

**Response: DISAGREE**

*Infrastructure creates unique environmental circumstances. Each one needs to be considered within its context. The stream must cross the highway at some point, either by going under a highway overpass or through a culvert.*

**Issue # 42** - Inclusion of proposed rail lines on the SPPM

**State Plan Citation (Existing)** – Statewide Policy 8, Transportation, Coordinated Transportation Planning, p.140

**State Plan Citation (Preliminary)** – N/A

**County Recommendation** – Proposed rail lines should be included on the State Plan Policy Map.

**Recommendation made by** - Monmouth County

**Response: DISAGREE**

*There's no assurance that the project will ever happen and inclusion of proposed rail lines will tend to clutter the map and those that oppose the line would feel that the map is promoting its construction.*